

# Justice Reinvestment Oversight Board

## Meeting Minutes

*January 4, 2017*

The Justice Reinvestment Coordinating Council meeting was held on Wednesday, January 4, 2017 at the Department of Legislative Services Building, 90 State Circle, Annapolis, Maryland, 21401. The meeting was called to order at 2:32 pm by Judge Daniel M. Long who presides as the Chairman for the Justice Reinvestment Oversight Board. This meeting was attended by the following Board members: Barbara Bazron, Department of Health and Mental Hygiene; Major Roland Butler, Maryland State Police; Russell Butler, Maryland Crime Victim's Resource Center; Lori Brewster, Wicomico County Health Department; Secretary David Brinkley, Department of Budget and Management; Jinlene Chan, Anne Arundel County Department of Health; Kevin Davis, Police Commissioner of the Baltimore Police Department; Douglas C. Devenyns, Talbot County Detention Center; Sheriff Jim Dewees, Carroll County; Paul DeWolfe, Office of the Public Defender; Delegate Kathleen Dumais, District 15, Montgomery County; David Eppler, Office of the Attorney General; V. Glenn Fueston Jr., Executive Director, Governor's Office of Crime Control and Prevention; Patricia Goins-Johnson, Department of Public Safety and Correctional Services; John R. Greene Jr., Maryland Parole Commission; Robert L. Greene, Montgomery County Department of Correction and Rehabilitation; Senator Michael Hough, District 4, Frederick and Carroll Counties; Terry Kokolis, Anne Arundel County Department of Detention Facilities; Judge Daniel M. Long, Chair; Chief Judge Morrissey, District Court of Maryland; Constance Parker, Department of Labor, Licensing and Regulation; Scott Shellenberger, State's Attorney, Baltimore County; Perthean Toins-Banks, Department of Labor, Licensing and Regulation.

Those not present: Councilman Jamel R. (Mel) Franklin, Prince George's County; Judge Kathleen Gallogly Cox, Baltimore County Circuit Court.

### **I. Welcome**

The meeting was called to order at 2:32 PM by Judge Long as he welcomed everyone to the first Justice Reinvestment Oversight Board meeting. Judge Long gave opening remarks discussing the groundbreaking Justice Reinvestment Act that resulted from collaboration of all branches of government and an overwhelming bipartisan support. All Oversight Board members' provided introductions. Judge Long also introduced Don Hogan the Chief of Legislation at the Governor's Office of Crime Control & Prevention who is staffing the Board.

### **II. Bureau of Justice Assistance**

Judge Long introduced Kristen Mahoney, the Deputy Director for Policy at the Bureau of Justice Assistance to give opening remarks. Ms. Mahoney discussed the history of Justice Reinvestment Initiative stating that it is 14 years in the making (since 2003) and more than half the states have gone through the process of Justice Reinvestment. Maryland specifically has been successful in Phase 1 and is

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now focusing on Phase 2. Ms. Mahoney emphasized that oversight is the most crucial role in the process which holds all the agencies accountable to help execute the policies and provisions of the Justice Reinvestment Act. Ms. Mahoney stated that it is important to keep everyone motivated and that this is a great opportunity for justice reform and to be smart on crime. The Bureau of Justice Assistance is available to support the State of Maryland in its Justice Reinvestment efforts through technical assistance providers such as the Crime and Justice Institute who is currently funded to provide assistance to Maryland.

## ***Review of Evidence Based Practices in Other States***

Heather Tubman-Carbone, Senior Policy Advisor at the Bureau of Justice Assistance discussed several states that have passed Justice Reinvestment and what their results were through a PowerPoint Presentation. Various states that have implemented JRI reforms have had many successes such as reducing prison populations, using funds more wisely, increased accountability for people in prison, and reducing sentences for certain nonviolent offenses and averting prison costs. Various states were also able to improve pre-trial process, and use risk assessments to inform effective supervision conditions.

Judge Long also acknowledged Madeline Warren and Barbara Pierce from the Crime and Justice Institute for their work in providing JRI technical assistance in 10 states. Ms. Warren is the point of contact for technical assistance in Maryland.

## **III. History of Passing of the Bill**

Judge Long then introduced Chris Shank, the Chief Legislative Officer for Governor Hogan and Glenn Fueston, the Executive Director of the Governor's Office of Crime Control & Prevention. Mr. Shank opened with thanking the Oversight Board and reiterating that Governor Hogan is committed to this process and how important the Oversight Board is in implementing Justice Reinvestment. He then discussed particulars of the act with emphasis on a data-driven approaches to improve public safety, and to reinvest saving into strategies to reduce crime and recidivism. The Coordinating Council met many times in 2015 and presented 19 recommendations to ultimately save over \$45 million to be reinvested into the criminal justice system. Some major provisions of the bill are to focus prison beds on serious offenders such as the enhancement of the Rico Act, as well as sentencing reductions. In regards to drug abuse- emphasize treatment for abusers, revise drug possession penalties, increase treatment beds and elevate the voices of victims. Chris concluded with stating that he is confident in this Coordinating Council to implement this bill under the leadership of Judge Long. He then turned the presentation over to Glenn Fueston.

Mr. Fueston opened with stating that he is excited about moving this process forward, and the role that the Governor's Office of Control and Prevention has in spearheading the reinvestment efforts in Maryland. JRI is currently in Phase 2 which will be much more intensive, initial changes will be made including ensuring that agencies are fully implementing the act, and to see changed efforts and

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measurable outcomes within the next two years.

Senator Hough and Delegate Dumais were also asked to provide some remarks.

Senator Hough spoke about the need to create savings, and how we spend them moving forward through performance incentive grant funding. Also, Senator Hough talked about the need to have a similar set up of coordinating councils in local counties.

Delegate Dumais thanked the legislative leadership, and stated that this is the largest undertaking she has seen in 14 years in the legislature and the most important. She discussed the collaborative effort between the committees and multiple agencies to create changes in education, mental health, substance abuse and reentry.

Judge Morrissey also provided remarks reiterating that this bill was a collaborative effort which requires multiple changes throughout the system. The Judiciary is already moving many provisions of the Justice Reinvestment Act forward as they have met with Parole and Probation to discuss the implementation of the swift and certain sanctions matrix.

## **IV. Department of Health and Mental Hygiene Presentation**

Dr. Barbara Bazron, the Executive Director of the Behavioral Health Administration presented data on three treatment centers- Gaudenzia, Jude House and New Horizons, who collectively house 245 beds (treatment slots). The average length of stay for a patient is 3-6 months, and as of December 21, 2016, the waitlist for admission was 65 with an additional 15 individuals scheduled to transfer to residential placements within the next week. From FY10-FY15, funding for residential placements was \$6 million a year. In FY17, as part of the Justice Reinvestment Act, DHMH was allocated an additional \$3 million to increase the number of residential slots. Perthean Toins-Banks asked about those who do not qualify for Medicaid and do not have insurance, to which Dr. Bazron answered that they are funded through general funds. Robert Greene asked about an expansion prior to 2018 in the number of residential beds, to which Dr. Bazron answered that they are currently under contract and cannot expand until after the contract is up in 2018.

Robert Green made a point in that issues arise when we start talking about beds and capacity, we need to be data driven and that there is an absolute need for a data dashboard to look at wait times and bed capacities.

## **VI. Conclusion**

Judge Long proposed to vote Glenn Fueston as the Vice Chair, it was approved.

Judge Long concluded the meeting by discussing that passage of the act was a challenge, but implementation will be a greater challenge. The meeting was adjourned at 3:44 PM.

The next full Board meeting is