



Justice Reinvestment Oversight Board



Meeting Minutes

August 28, 2017

The Justice Reinvestment Oversight Board meeting was held on Monday, August 28, 2017, at the Governor's Coordinating Offices in Crownsville. 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 Victims' 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; 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; 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. Councilman Jamel R. (Mel) Franklin, Prince George's County; Judge Kathleen Gallogly Cox, Baltimore County Circuit Court, and Kristina Donnelly, on behalf of Patricia Goins-Johnson, Department of Public Safety and Correctional Services.

Those not present: Sheriff Jim Dewees, Carroll County; Councilmen Jamel R. Franklin, Prince George's County; Jinlene Chan, Anne Arundel County Department of Health (excused); Perthean Toins-Banks, Department of Labor, Licensing and Regulation

I. Welcome

The meeting was called to order at 1:03 PM by Judge Long. He began with the approval of the minutes and then by introducing Janet Lane, the Director of Justice Reinvestment. The beginning date of the act is October 1st, and so far there has been a great level of cooperation from all agencies involved. Judge Long also announced that the first meeting of the Local Government Commission will be held on Wednesday, August 30.

II. JRA Updates from MDH



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David Lashar, the Chief of Staff at MDH presented JRA updates. He discussed a new method for process analysis and change, as well as adding a new coordinator position, supervisor position and hiring a few contractors. He talked about managing more effectively through a shared service model which leads to improved communications and training.

The process of changing to a fee for service model leads to more providers instead of the current three under contract and has created a modern case management platform for HG 8-507 beds. The total capacity now with the providers is 245 beds.

Scott Shellenberger added that numbers may go up as the current sentences for those serving non-parole jail time for drugs could be modified. David Lashar responded that they have anticipated this change, and they are adding the tools and moving to a fee for service model that will allow more than 245 beds and a network of providers.

Delegate Dumais expressed concern about mental health evaluations and treatment. Rob Green suggested having a mental health competency as another point of interest at the board meetings.

III. Core Stakeholder updates

Kristina Donnelly, on behalf of Patricia Goins-Johnson, presented on the risk and needs assessment, and discussed trying to fill current vacancies and that a dashboard is currently being developed to track changes to the Offender Case Management System. The dashboard will be monitored for the Maryland Parole Commission. DPSCS is currently understaffed because many individuals have retired so they are actively recruiting.

Janet Lane asked what process is in place for victim notification. DPSCS responded that the victim notification process has not changed and victims will continue to receive notice prior to the hearing. Judge Morrissey then asked what is the process if a victim objects to administrative release. John Greene answered that a hearing will be scheduled. Scheduling is based on the facility and the regions for hearings and that there are a lot of moving parts.



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Joe Clocker then updated from Parole & Probation about a validated screening tool, the LSI-R, and graduated sanctions. They are developing a formal policy in response to technical violations and ensure that due process is in effect if the defendant challenges the sanction. The distinction between infractions and technical violations was also clarified: Infractions are essentially considered minor deviations from the basic rules of probation supervision. An example might be a person was told to report on Friday, but comes in on Monday instead. Those are dealt with by the Agent and possibly also with a supervisor. A technical violation is when the the matrix of in house reprimands have been exhausted and the offender may need to to go back to court for a violation hearing. The court is still only addressing technical violations and not new charges or violations of a no contact order.

Constance Parker from DLLR discussed how they are working with DPSCS with certificates of rehabilitation, utilizing the federal bonding program, and working with various partners to make sure that the board is better educated. Only 5 out of 129,000+ applications for certificates were denied due to a person's prior criminal history which were affected by new Federal requirements.

From the Administrative Office of the Courts side, Judge Morrissey talked about the August 18 Train the Trainer session which focused on 7 areas within parole and probation, 8-505 & 8-507 for substance use, medical parole and geriatric parole, earned compliance credits, abatement, and law of expungements. Judge Cox stated that inmates who are sentenced by September 30, 2017, under a mandatory minimum sentence requirement, may be eligible for a hearing requesting a modification of sentence under the JRA "safety valve.". It appears that between 50 to 90 inmates, in the larger institutions, may be eligible for hearings. Inmates who were sentenced to a crime that was subject to a mandatory minimum sentence, have a year to request a modification hearing. The applications must be submitted by September, 2018 for sentences ordered by September, 2017.

Rob Green discussed the impact of JRA on the locals. He mentioned the first meeting of the Local Government Justice Reinvestment Commission will take place on August 30 in Annapolis. At the meeting, there will be a presentation as well as a discussion about programming and services provided in each of the 24 jurisdictions. Judge Long agreed that there has to be a partnership with the locals and the board.

Russell Butler spoke about the restitution requirement of the JRA. Montgomery County looked at circuit and district court records and discovered that clerks were not sending restitution orders to the detention centers, there is a requirement for inmates to pay under justice reinvestment and he stated the need to make sure the current setup is working.



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IV. Performance Measure Discussion

Becky Berkebile and Jeff Zuback from GOCCP presented on performance measures to be collected from each of the agencies in order to evaluate the performance of JRI. Having met with the core agencies, performance measures are in the process of being finalized. Some of the measures are already currently available and others will require some modifications to existing data systems. Data collection will start on October 1st and will be requested quarterly. The performance measures will be presented at each Oversight Board meeting.

V. Conclusion

Judge Long adjourned the meeting at 2:48pm.