



Successful Youth • Strong Leaders • Safer Communities

State Advisory Board (SAB) Meeting

November 19, 2019

2:00 p.m. – 4:00 p.m.

Annapolis DJS Office
49 Old Solomons Island Rd., Suite 300
Annapolis, MD 21401

Conference Call # (605) 475-4700, Access Code: 300133

Minutes

Members and Guests Present:

Sam Abed
Andrew Tress
Rosemary King Johnston
David Johnston
Melanie Shapiro
Debra Grinnage-Pulley
Walidah Yaminah
Nick Moroney
Delegate Robin Grammer
Lynn Davis

Lara Weathersbee
Judge Bair
Shane Bolger
Shanna Wideman
Heather Chapman
James Johnston
Rexanah Wyse
Scott Beal

I. Welcome and Introductions

Rosemary King Johnston

- Approval of October 15, 2019 meeting minutes

Rosemary King Johnston called the meeting to order at 2:03 PM. Rosemary King Johnston pointed out the confidentiality agreement and asked everyone to sign and return it. The minutes were approved at 3:55 PM.

II. Juvenile Justice Monitoring Unit Report

Nick Moroney

Nick Moroney acknowledged Sec. Abed instituting JJMU recommendations, asked about transportation accessibility for those who are visiting the youth in the facilities, and about the status of home passes.

Sec. Abed reported: a pre-bid was put out today for the RFP for transportation services and there are about 20 vendors interested in the contract. On home passes, DJS looked into what was currently happening in the facilities and found that staff was not utilizing home passes. DJS is currently working with staff and the Judiciary to coordinate efforts to ensure that home passes

are being used for the purposes of re-entry. DJS is also making needed changes to the policy and working with the Office of the Public Defender (OPD) to coordinate processes for making requests.

Judge Bair commented although Montgomery County, experienced miscommunication in the epast, in the last few weeks there has been a noticeable difference from everyone, including DJS.

Melanie Shapiro stated that, in the past when a youth was committed, home visits were a part of the programing and not a request to the court. Has the agency changed that practice?

Sec. Abed responded that there were some legal issues when including home passes in the programming because it is considered a release and only the court can issue a release. DJS changed its policy to reflect the law.

Nick Moroney stated that he hopes the Juvenile Justice Refor Council (JJRC) achieves substantive changes adding resources and getting youth closer to communities. He is looking forward to seeing the selection of the TA provider for the JJRC. Also, the JJMU report has been released and he is happy to take questions.

Rexanah Wyse asked whether there has been any follow up to the JJMU report where incidents related to suicidal ideation were reported.

Nick Moroney replied that suicidal ideation is fairly common in girls under detention. The report reflects occurrences including anything verbal that is heard by staff. Youth are immediately counselled.

Sec. Abed agreed. There is a lot of information captured regarding suicidal ideation and is taken seriously.

Rosemary King Johnston spoke to the listening sessions that will be scheduled for the JJRC and that they would share the dates with the SAB. She also commented on the JJMU report, stating that the questions and responses were well done.

III. Juvenile Justice Reform Council (JJRC) Update *Sam Abed*

Sec. Abed recognized Nick Moroney's comments from the last SAB meeting regarding six-month stays at the facilities. We found there were some issues that were not part of DJS policy and they have been addressed. Sec. Abed also acknowledged the visitation policy that will be modified in order to accommodate families traveling to the facilities. Sec. Abed also addressed the complaints about food at the facility, specifically quantity. DJS has to be compliant with USDA regulations which require three-month meal plans and frequent audits. Sec. Abed also addressed phone call usage. DJS will be allowing an additional phone call per week (2 – 3). Each of these changes has been made as a result of the monitors efforts and they are helpful and appreciated.

Sec. Abed gave an update on the JJRC and what will be happening at the next meeting scheduled for tomorrow. The Council will vote on the TA Provider for the Council and review the interim report to the legislature. There will be a presentation from Pamela Brown, Executive Director of the Anne Arundel and President of the Local Management Boards (LMBs). Association. They've been helpful in organizing the regional listening sessions. There will also be a Race Equity presentation based on the race equity class for DJS staff. The SAG has also taken the class.

Rexanah Wyse asked if the training would be made available to the SAB and council.

Sec. Abed said he will get back her on that since DJS is trying to get current staff trained first and then will try to expand opportunities for others.

IV. Fatality Review Team / Subcommittee Report *Rosemary King Johnston / Sam Abed*

- Dates, Times and Location for 2020 Quarterly Meetings
- FRT/FRS Summary and Recommendations
- SAB Review and Recommendations

Rosemary King Johnston reminded the board about confidentiality.

Scott Beal provided an overview of the particular case, highlighting some of the main points in the summary form that was provided to the members.

Scott Beal responded to questions about including the police report, in the summary to the FRS and stated that the police don't want to provide the full report but can offer a summary report.

Rosemary King Johnston discussed the key findings and recommendations from the subcommittee.

Del. Grammer asked if there is ever a reason for a warrant to be denied by the court in a juvenile case?

Judge Bair reported that it depends on context. Every day in Montgomery County, there is an emergency hearing at 1:30 PM to hear requests from DJS or SAO providing information on youth who may be public safety risks. He was unable to speak to what other jurisdictions do.

Sec. Abed –agreed that if there isn't a daily docket, perhaps that could be done in Baltimore City.

Lara Weathersbee inquired about the warrant in this case, asking whether there is any additional information on why it was denied?

Del. Grammer responded no, it simply states that it was denied he didn't see any reason for the denial.

Sec. Abed noted that it's hard to second guess the decisions of a judge, but this issue should definitely be brought to the attention of Baltimore City.

Judge Bair indicated that there can be also be administrative reasons for a denial, such as court dates being changed, etc.

Walidah Yaminah asked what is the solution when DJS has discovered there is no family support and there are insurance issues?

Scott Beal reported that there is no way to fund the co-pay and the best DJS can do is work with parents to get with their insurance provider to identify any services the youth are eligible for. There isn't a system in place to pay for co-pays.

Lynn Davis stated it would be helpful to look for insurance providers as a secondary service once they reach 18 and provide the information at that point.

Walidah Yaminah noted that YAP is very receptive to youth who have experienced trauma. She asked how deep did everyone dive into the youth's peers? How many were in jail or dead?

Scott Beal –reported that DJS is not sure exactly, and that is something the Department can consider moving forward. With Baltimore being such a small city, if there were friends in jail or deceased it would have likely been known.

Lara Weathersbee stated that the fact that Baltimore City denied the warrant is very surprising. How is that process done currently? Is there just one judge reviewing writ requests? Is there one judge reviewing commitments, and is that part of the issue or just a rare occurrence? How long was the youth in lockup and what was the timeframe between the release and the arrest for robberies? It seems like that is an important timeframe because the youth was outside of services for a long period of time.

Scott Beal stated that there were five months between detention, transfer, and placement into the facility.

Lara Weathersbee asked what services were offered while waiting transfer? Why do we have youth detained pretrial when they should be receiving services? Maybe we should consider other pretrial detention options.

Sec. Abed stated that this has been an issue for DJS as well, and unfortunately, there are a lot of barriers. Part of the problem is that adult court will have bail review before the jurisdiction in the case is determined. At that point, the juvenile court can't review it and the options are limited. Another problem is the time it takes to get a transfer hearing.

Lara Weathersbee suggested that legislation may be one solution and there are others as well. Who is handling pretrial detention in the city?

Melanie Shapiro reported that, normally in Baltimore, there are three judges who sit in juvenile court and rotate every month.

Sec. Abed suggested that another option could be to impose time limits on transfer hearings.

Melanie Shapiro – asked if, in this specific case, did anyone speak to YAP? What drugs was the youth doing and selling?

Scott Beal responded that conferring with YAP is a good recommendation and DJS will do that in the future. Although the Department is not sure about the drugs, that's a good recommendation to address as well.

Lynn Davis stated that anyone involved with the child should be included in either the subcommittee or the full SAB report.

Rexannah Wyse expressed curiosity about the youth's education records prior to reaching the high level of system involvement and that it would be helpful to have that information.

Debra Grinnage-Pulley stated that there had to be someone from the schools addressing some of these issues, and that information should be obtainable.

Judge Bair stated that this raises a bigger question of what communication there is between DJS and local education agencies (LEA). Someone from the schools should be in court. Montgomery County doesn't seem to have an issue sharing information, but it's been reported that DJS is reluctant to give information to LEA. Perhaps there could be a legislative change?

Sec. Abed stated that DJS may be able to give some information regarding enrollment. There is a danger that LEAs will use that information to send youth to alternative schools which is not necessarily the best placement for the youth.

Melanie Shapiro agreed that has been an issue and better approaches are available such as an initiative through GOCCP. Expanding this program may be a better option.

Heather Chapman agreed that there is also a need to ramp up services in schools and handling the level of care.

Rexannah Wyse stated that there is definitely a need for a multi-layer approach, not just legislative. Developing protocols for the sharing of information that doesn't breach confidentiality is a positive approach and would likely benefit everyone.

Shanna Wideman agreed and expressed an interest in the period during which the youth in this case was not receiving services. There needs to be coordination between agencies, especially when youth are in custody and not receiving the proper treatment. Staff from other agencies that are involved with the youth should be identified.

Judge Bair indicated that until a youth is adjudicated, there isn't a way to offer services. Sometimes services that are needed won't be identified until they are adjudicated delinquent.

Lara Weathersbee reported that the waiting period between transfer hearings is a big issue.

Sec. Abed indicated that creating more alternatives to detention is needed, along with treatment programs. Also, reducing the amount of time youth are held until the transfer hearing.

Shanna Wideman inquired about the transfer and holding process. Judge Bair explained and added that this case is different than most.

Shanna Wideman also asked what is happening while the youth is in detention awaiting transfer

Sec. Abed explained the multiple services including school, recreation, etc.

Judge Bair asked what is the role of DJS with a youth over 18 if they are committing crimes but resistant to services?

Sec. Abed stated that DJS still supervises up to age 21 and will make frequent contact with the youth like what was done in this case, but there aren't many options once a certain age is reached.

Rosemary King Johnston requested the board move forward and make adjustments to the subcommittees recommendations and finalize them.

Changes:

- Court issues with daily dockets
- Getting input from anyone involved with the youth

Del. Grammer asked if DJS can establish recommendations for youth re-entering schools that speak directly to the youth's specific circumstances?

Rosemary King Johnston agreed with the Delegate's point and stated that, due to time constraints, we will need to address it at the next meeting.

Sec. Abed responded that there is a line of communication with the schools currently, but it's difficult to expand if the schools ask for records in order to place youth in alternative schools.

VI. Good of the Order

Andrew Tress reminded Board members who have not done so to fill out their applications for reappointment.

Upcoming Meetings:

- 2020 – 1/21, 4/21, 5/19, 6/16, 9/15, 10/20, 11/17

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