



Montgomery County, Maryland  
Department of Health and Human Services

## **Commission on Juvenile Justice Annual Report 2018-2019**

### **Mission Statement**

#### **Mission of the Juvenile Justice Commission**

The thirty-four-member Commission on Juvenile Justice is tasked with:

Evaluating State and County-funded programs and services that serve juveniles and families involved in the juvenile justice system to address capacity, utilization, and effectiveness;

Informing and advising the Juvenile Court, County Council members, the County Executive, and State legislators on the needs and requirements of juveniles and the juvenile justice system;

Studying and submitting recommendations, procedures, programs, or legislation concerning prevention of, and programs addressing, juvenile delinquency and child abuse or neglect;

Making periodic visits to juvenile facilities serving Montgomery County juveniles; and

Promoting understanding and knowledge in the community regarding juvenile needs and the effectiveness of programs.

# **History of the Commission on Juvenile Justice**

The Montgomery County Juvenile Court was created by Maryland statute in 1931. The Juvenile Court Committee, along with its counterparts in other Maryland jurisdictions, was formed to support and assist an evolving juvenile justice system. Under County law enacted in 1981, the Juvenile Court Committee began serving in an advisory capacity to the Montgomery County Council and Executive. The Juvenile Justice Court Committee of Montgomery County served this role actively and effectively. On April 4, 2000, the Montgomery County Council passed legislation revising and expanding the functions of the Juvenile Court Committee, and transformed it from a committee into the Commission on Juvenile Justice, effective July 14, 2000. Thoughtful analyses and position papers on such far-reaching issues as judicial appointments, treatment alternatives, State legislation, local budget allocations, and disproportionate minority representation in the juvenile justice system have become associated with the work of the Juvenile Court Committee and the Commission on Juvenile Justice.

## **Meetings**

The Commission on Juvenile Justice meets on the third Tuesday of each month, except for August and December. Commission meetings are held from 7:00pm - 8:30pm. Commission meetings are open to the public and are held at 101 Monroe Street, 9<sup>th</sup> floor conference room, Rockville, Maryland 20850. (Meeting locations are subject to change.) The work of the Commission is supported and staffed by the Department of Health and Human Services, Division of Behavior Health and Crisis Services, Juvenile Justice Services.

### **Contact Information**

For more information about the Commission, please contact:  
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# **Commission on Juvenile Justice Vision Statement and Objectives**

## **Vision**

The Commission on Juvenile Justice envisions an effective partnership between the State and County, in which the State is responsive, with funding and other resources, to locally identified, data driven service needs. The Commission will work with the State and County in collaboration to create and bolster a framework for optimal service provision to youth, their families and their support structures. The Commission recognizes that a county may be in a better position to identify and propose solutions to direct needs, align and coordinate already existing county-provided services to youths, and build on pre-existing in-county relationships. The Commission seeks to strengthen mutual accountability on the State and County levels. The Commission strives to enable the state to enact standards of practice and care that will ensure equity across counties.

## **Commission on Juvenile Justice Membership 2018-2019**

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### **Executive Committee**

Executive Committee

Chris Fogleman, Chair

Francha Davis, Vice Chair

Vacant, Secretary

Chris Jennison and Kimberly Alfriend - Government and Community Relations Co-Chairs

Karen Francis and Gwen Williams – Care, Custody and Placement Co-Chairs

### **Citizen Commissioners**

Kimberly Alfriend

Diana Barney

Carole Brown

Bonnie DeWitt

Christopher Fogleman

Tracey Friedlander

Dan Gaskill

Christopher Jennison

Erynn Penn

Wendy Pulliam

Kevin Redden

Vernon Scott

Ebony Stoutmiles

Thomas Squire

Gwendolyn Williams

### **Program Manager**

Diane M. Lininger, LCSW-C

### **Agency Members**

Joanna Bonner, Juvenile Court  
Frank Duncan, Department of Juvenile Services  
Francha Davis, Court Appointed Special Advocate (CASA) Program  
Susan Farag, County Council  
Cary Fellows - Department of Health and Human Services – Juvenile Justice  
Vacant, Montgomery County Police Department – Special Victims Investigations  
Division  
Steve Neff, Montgomery County Public Schools  
Mary K. Siegfried, Office of the Public Defender  
Michael Subin, County Executive's Office  
Nathaniel Tipton, Department of Health and Human Services – Child Welfare  
Elijah Wheeler, Montgomery County DMC Reduction Coordinator, at the Collaboration  
Council for Children, Youth and Families  
Carlotta Woodward, State's Attorney's Office

## **Commission Structure 2018-2019**

During FY-19, the Commission had three committees:

The **Executive Committee** represents the Commission at meetings with the Department of Health and Human Services Director, County Executive, and County Council; drafts and presents testimony on legislation of interest; and provides administrative support to the Commission. The Executive Committee organizes Commission membership, orientation, the annual work plan, and the annual report.

The **Government and Community Relations Committee** recommends the legislative agenda for the Commission. Its duties include lobbying and testifying before local and State legislators and monitoring and tracking legislation that affects the juvenile justice system. The Government and Community Relations Committee also oversees the annual forum with the Juvenile Court judges.

The **Care, Custody, and Placement Committee** monitors and tracks the quality of care provided to Montgomery County juvenile justice youth who are in community placements or residential facilities, which may be in or outside of the County. Its duties include examination of mental and physical health care, education, programming, and transportation.

The Commission also worked within *ad hoc* committees, as follows:

- **Retreat Committee**
- **Orientation Committee**
- **Nomination Committee for Executive Committee**

Members of the Commission served on the following County boards, commissions, committees, and task forces, and reported to the Commission on their activities:

- **Montgomery County Criminal Justice Coordinating Commission (CJCC)**
- **Montgomery County Gang Prevention Task Force**
- **Juvenile Justice Information System Task Force**
- **Collaboration Council for Children, Youth and Families – Disproportionate Minority Contact Reduction Committee**
- **Criminal Justice Behavioral Health Initiative.**
- **Operations Board for the Tree House (Montgomery County's Child Assessment Center)**
- **Teen Court Advisory Committee**
- **Family Justice Center Steering Committee**

In addition to its committees and the above referenced groups, the Commission worked closely with the Department of Health and Human Services (DHHS), Office of the Public Defender, State's Attorney's Office, Family Crimes Division of the Police, Montgomery County Circuit Court, Court Appointed Special Advocate (CASA) Program, Department of Juvenile Services (DJS), Criminal Justice Coordinating Committee, Montgomery County Public Schools, Collaboration Council for Children, Youth and Families and the Office of the County Executive.

## **A Message from the Chair**

**By Chris Fogleman, Chair and Citizen Commissioner**

On behalf of the Montgomery County Commission on Juvenile Justice, I am honored to present the Commission's Annual Report for the year ending June 30, 2019.

The Commission on Juvenile Justice recognizes the importance of supporting and advocating on behalf of opportunity youth, generally defined as people between the ages of 16 and 24 who are neither in school nor working, as well as young people who may be in school, some of whom may have been involved in the juvenile justice system and detained. These young people represent a social and economic opportunity: many of them are eager to further their education, gain work experience, and help their families and communities. The Commission on Juvenile Justice's priorities for FY-19 reflected the Commission's commitment to promoting these young people and enriching Montgomery County through the opportunity that they represent.

Therefore, it was a priority for the Commission on Juvenile Justice to advocate for education, resources and opportunities for youth in detention and youth at risk as well as effective re-entry options for youths who have been detained and for opportunity youth. We addressed this priority by: (1) identifying and meeting with agencies that are providing services and reviewing these programs' effectiveness, (2) identifying, meeting with and visiting nongovernmental organizations that are providing community engagement (e.g., sports, after school academics, and engagement centers) and

professional development for opportunity youth, (3) identifying and creating relationships with the Maryland State Department of Education and other agencies within Montgomery County and statewide who have responsibility for this work to facilitate collaboration and information gathering, (4) meeting with [circuit court] judges who are involved in the juvenile justice system, and (5) participating in fact-gathering, community-engagement, and stakeholder events.

Another priority of the Commission on Juvenile Justice during FY19 was a focus on advocating for effective vocational training programs for detained youths. Our work plan to address this priority included: (1) identifying, and evaluating the effectiveness of, vocational programs that are available at the facilities, (2) identifying other agencies that are providing services, and evaluating the effectiveness of those programs to identify best practices that can be replicated, (3) ensuring there's discussion - and recommending action - around equitable opportunities for female juvenile offenders, both in general services and in vocational training, (4) identifying and creating relationships with the Maryland State Department of Education and other agencies within Montgomery County and statewide which are responsible for vocational or professional development work to facilitate collaboration and information gathering, and (5) participating in a fact-gathering, community-engagement, and stakeholder events.

As you will read in this Annual Report, the Commission has been very active this year in advocating on behalf of our County's youth. The Commission met with several key players in the juvenile justice system, including Judges and other representatives from the Montgomery County Circuit Court, elected officials from the Maryland Senate and House of Delegates, and representatives from the State's Attorney's Office, Office of the Public Defender, Department of Juvenile Services, Montgomery County Recreation Department, Maryland State Department of Education, and Alfred D. Noyes Children's Center. Commissioners also toured the Alfred D. Noyes Children's Center, Baltimore City Juvenile Center and the Evening Reporting Center.

If, after reading the report, you have any questions about the work of the Commission, we will be happy to provide more information.

## **Care, Custody and Placement Committee**

**By Gwen Williams, Co-Chair of the Care, Custody and Placement Committee for FY-19 and Citizen Commissioner**

During this reporting period, the Care, Custody and Placement (CCP) Sub-Committee worked to develop and implement the second-year goals set forth in its strategic two-year work plan. Consistent with the overall objectives of the sub-committee, the work plan included four objectives. Objectives 1 and 2 (listed below) represent a continuation of focus from the sub-committee's previous work and Objectives 3 and 4 are direct responses to needs expressed to the sub-committee over the past year. Each objective within the work plan was developed with specific activities and associated timelines for

implementation. Many of these objectives were established with the understanding that implementation would require collaboration with the wider Commission and the Government Relations Sub-committee.

Below is a listing of the work plan objectives:

- **Objective 1:** To advocate for effective education and vocational training programs for youth who have been detained.
- **Objective 2:** To advocate for effective re-entry opportunities for youth who have been detained and for at opportunity youth.
- **Objective 3:** Create a strong voice for Commission on Juvenile Justice and the youth we serve, within county and state government, and be a voice and a resource for state and county agencies.
- **Objective 4:** To strengthen and support the services for the Evening Reporting Center, which is currently grant funded and unavailable post-disposition.

The Sub-Committee agreed to focus on education during this period and continue to explore ways for youth engagement and youth involvement on the CJJ Commission. There have been discussions to determine an effective framework and processes by which the Commission will be able to facilitate such youth engagement. Committee members visited the Evening Reporting Center to engage the youth and staff in identifying their needs and exploring ideas. Visits have been made to Noyes to further engage the staff in identifying their needs and concerns. Noyes staff have also been invited and participated in Commission meetings. Also, to further identify the needs at Noyes, Commission members from both subcommittees (Legislative and Care and Custody) are now represented on the Noyes Advisory Board. The Commission also is working toward enhancing coordination with the Health and Human Services Committee of the County Council to avoid overlap and identify ways to combine efforts. This reporting period, the focus has been on identifying needs and ensuring that youth, families, staff, and others are fully engaged, and resources are allocated appropriately.

## **Government and Community Relations Committee**

**By Chris Jennison, Chair of the Government and Community Relations Committee for FY-19 and Citizen Commissioner.**

The Commission on Juvenile Justice's Government and Community Relations Committee was very active with respect to important legislative developments during FY 2018. Given the relatively brief legislative session (although it feels anything like that for anyone working in Annapolis!), it was essential for the Committee to promptly identify the proposed bills in the state legislature that could directly or indirectly impact Montgomery County youth. The Committee's main work was facilitating the Commission's efforts to identify such potential legislation.

On November 21, 2018, the Commission was honored to host and hear from Delegate Moon representing District 20 in the Maryland General Assembly, a district which includes large portions of Silver Spring and the entirety of Takoma Park. Delegate Moon updated the Commission on proposed legislation.

- HB055 (Sponsor – Delegate Sydnor) “Establishing that, pending a determination by a court exercising criminal jurisdiction in a case involving a child whether to transfer its jurisdiction to the juvenile court, provisions of law relating to the confidentiality of juvenile records apply to all police records and court records concerning the child; and repealing provisions of law relating to the expungement of criminal charges transferred to the juvenile court.” He advised that a version of this bill would be introduced in 2019 focusing on mugshots specifically.
- HB0122 (Sponsor – Delegate Anderson) “Limiting the requirement that criminal sentencing guidelines adopted by the State Commission on Criminal Sentencing Policy set forth a range of increased severity for defendants who have been previously adjudicated delinquent to adjudication and commitment to a hardware secure juvenile detention facility; and defining "hardware secure" as a facility that relies primarily on the use of construction and hardware, including locks, bars, and fences, to restrict freedom.”
- HB0786 (Sponsor – Delegate Lewis) “Requiring, to the extent reasonably possible, the Department of Public Safety and Correctional Services to adhere to the standards of the American Corrections Association for restrictive housing in State correctional facilities.”
- HB0319 (Sponsor – Delegate Sydnor) “Altering to under 16 years of age rather than 18 years, the age range for which a certain charge relating to truancy is applicable; reducing the maximum terms of imprisonment from 10 to 3 days for a first conviction and 30 to 5 days for subsequent convictions under the Act; authorizing the imposition of community service on conviction of certain charges related to truancy; and altering the application of a certain affirmative defense relating to a certain truancy charge.” This Bill sought to repeal parental jail time as a consequence of youth truancy. Bill was amended and changes that were enacted during 2018 session.
- SB0982 (Sponsor – Senator Muse) “Requiring the Department of Juvenile Services to provide a progress report on the status of the implementation of specified recommendations of the Task Force to Study the Restraint, Searches, and Needs of Children in the Juvenile Justice System; requiring the Department to report on specified recommendations; and requiring the Department to report on the implementation of the Task Force's recommendations to the Governor and the General Assembly no later than December 1, 2017.”
- There was legislation introduced in the 2017 session that addressed limitations on the use of strip searches on juveniles. This became recommendations for a task force instead requiring updates be provided by DJS to the Governor and General Assembly in 12/2017. Delegate Moon expects this topic to come back in some form in 2019

In January 2019, as the legislative session was beginning, the Committee reviewed and discussed the following bills and no action was proposed: SB013, SB401, SB625, SB011, SB856.

The Commission was in support of bills HB0418, SB0823, SB0624, HB581 and voted to send a letter of support for each. The Commission also voted to support HB011 and sent a letter of support with specific language: "The Montgomery County Commission on Juvenile Justice supports HB011 to the extent that the purpose of this bill is to treat all juveniles the same regardless of whether they are originally charged as juveniles or adults." On SB0624, the Commission voted to express general support with a letter expressing the following: "The Montgomery County Commission on Juvenile Justice is generally supportive of community detention but would need to see the final details of SB0624 before supporting this legislation specifically. The Commission would like to emphasize the importance of ensuring that any child ordered to be held in a detention facility that also holds adults shall: (1) have adequate supervision to ensure the child's safety, and (2) be held in a ward of the facility that is entirely separate from adults, sight and sound at all times. We want to emphasize, however, our strong opposition to solitary confinement."

Going into the FY 2019 year, the Committee is looking forward to another busy legislative session and monitoring, engaging, and advocating before a largely new County Council.

## **Visit to Noyes**

By Kevin Redden, Citizen Commissioner

On May 20, 2019 several members of the Commission toured the Alfred D. Noyes Children's Center. The members were impressed with the knowledge and professionalism of the staff as well as the positive changes that the facility and staff have made in the past several years. While Noyes serves as a detention center in some aspect, the center also provides meaningful opportunities for counseling, recreation, and education. The commission members were notified that, as of this year, Montgomery County Public Schools will provide the education program at Noyes and will implement a new curriculum as well as extend employment benefits to the teachers. It is hoped that these changes will increase youth educational opportunities and decrease teacher turnover. The Center offers a wide array of services, including the ability to receive certificates in certain vocations, educational assessments, mental health resources, arts and crafts, etc.

While the members were pleased with the positive changes implemented by the center in terms of activities for the youth, new classrooms in outfitted trailers and enhanced educational services, there is still room for improvement. Specifically, there is no kitchen at the Center and so food must be brought in from outside vendors for each meal. This fact limits the type and quality of food for the youth housed there. In addition, the gym (which does not have windows) is often used for the youths' limited recreational time allotments, even though the Center is located on a large piece of green property. Children and youth benefit from being in the outdoors, and so this

outdoor space could and should be better utilized and developed to give the youths more opportunity for meaningful exercise and time outside in nature. Moreover, several of the living facilities, such as bedrooms and common areas, need refurbishing and updating. Youth should not be sleeping on a thin mattress **[on top of a concrete block.]** Finally, we suggest implementing a more robust vocational program in the Center, keeping in mind that Noyes is not meant for long term detention. Overall, the recent tour of Noyes demonstrated that positive changes are occurring as we saw many implemented over since the Commission's last visit.

## **Commission on Juvenile Justice Annual Retreat**

By Ebony Stoutmiles, Citizen Commissioner

The Commission for Juvenile Justice's 2019 Annual Retreat opened with a Presentation about the Office of Legislative Oversight Report on Racial Equity by guest speaker Dr. Elaine Bonner-Tomkins. This presentation segued into a presentation and discussion addressing equity, facilitated by Care, Custody, and Placement Chair Karen Francis. The Care, Custody, and Placement Committee asked Commission members to complete at least one of Harvard University's Project Implicit "Implicit Association Tests" in advance of the retreat to prepare for the pending presentation. The Implicit Association Tests asked participants to explore their own potential racial, religious, age, and gender biases, while the discussion called for a deeper understanding of bias and a collective action of members to be actively aware of these biases. Karen Francis gave an interactive presentation on the topic of equity that resulted in a lively discussion and participation by the Commissioners. The retreat also gave fruit to important discussion on pending and proposed legislation of importance to CJJ. Government Relations and Community Relations Chair Chris Jennison, along with help from the GRCR Committee, summarized and led discussion on the pending legislation. These bills are further discussed in the article from the Government and Community Relations committee.