



Montgomery County, Maryland  
Department of Health and Human Services

## **Commission on Juvenile Justice Annual Report 2019-2020**

### **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 virtually thru "Teams Meeting". A link is offered thru the County website. 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:  
Diane Lininger, Program Manager  
Montgomery County Department of Health and Human Services  
Behavioral Health and Crisis Services  
7300 Calhoun Place, Suite 600  
Rockville, Maryland 20855  
(240) 777-3317 Voice Mail  
(240) 777-4665 Fax  
E-mail: [Diane.Lininger@montgomerycountymd.gov](mailto:Diane.Lininger@montgomerycountymd.gov)

# **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 2019-2020**

---

### **Executive Committee**

Executive Committee

Chris Jennison, Chair

Ebony Stoutmiles, Vice Chair

Diana Barney, Secretary

Kevin Redden and Thomas Squire- Government and Community Relations Co-Chairs

### **Citizen Commissioners**

Kimberly Alfrend

Diana Barney

Bonnie DeWitt

Christopher Fogleman

Tracey Friedlander

Dan Gaskill

Christopher Jennison

Erynn Penn

Joshua Pestaner

Kevin Redden

Melanie Rush

Vernon Scott

Ebony Stoutmiles

Thomas Squire

Angela Tolliver

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  
Steven Miller - Department of Health and Human Services – Juvenile Justice  
Amy Daum, Montgomery County Police Department – Special Victims Investigations Division  
Steve Neff, Montgomery County Public Schools  
Mary K. Siegfried, Office of the Public Defender  
Vacant, 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

#### **Emeritus Members**

Carole Brown  
Christopher Fogleman  
Wendy Pulliam

## **Commission Structure 2019-2020**

During FY-20, the Commission had two 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 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 – Racial Ethnic Disparities 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 Jennison, 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, 2020.

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. 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-20 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 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.

Through our prior work and engagement, the Commission noticed a disparity in the services being provided to female incarcerated youth. The Government and Community Relations focused on researching services available for female incarcerated youth and advocated to close gaps in services. The committee looked at best practices in community youth engagement and develop partnerships for engaging at-opportunity youth.

Additionally, the Commission looked at how to best advocate for effective educational and vocational training programs for youth who have been detained. We worked, and will continue to work, to strengthen capacity of evening reporting Center (ERC) and identify other agencies that are providing services and look at the effectiveness of those programs within those agencies. The Commission also focused on the educational programming at the Alfred D. Noyes Detention Center and programs efficiency.

This Annual Report includes Commission activities advocated 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 supply more information.

## **Government and Community Relations Committee**

**By Kevin Redden and Thomas Squire, Co-Chairs of the Government and Community Relations Committee for FY-20 and Citizen Commissioner.**

The 2020 Legislative Session was successful despite the limited opportunities for advocacy caused by the COVID-19 pandemic. As a body, the Commission chose to play a more active role in our State's policy making by implementing new processes and increasing contact with issue advocates and legislators. This was exemplified by the implementation of a new tracking method that is entirely digital and enabled more commissioners to actively participate. The change increased the Commission's flexibility and enabled its members to quickly and accurately track all pieces of legislation which were introduced while easily differentiating which bills passed and which failed. Further, this enabled the Commission to continue working throughout the session despite limited in-person meetings caused by COVID-19 and was a large part of the Commission's success in 2020.

In addition to letters written on behalf of the Commission urging action or inaction, the body decided to become more involved in the legislative process in 2020. This process began with advocacy, prior to and, during the session. Commissioners also interacted with issue advocates throughout the legislative process to refine multiple pieces of legislation. These efforts culminated in testimony given by Tracey Friedlander on behalf of the Commission on House Bill 36 – Juvenile Fines, Fees, and Costs which eliminated fines and fees for juveniles in the system. This bill passed out of the General Assembly and was later signed into law. The Commission also sent letters supporting House Bills 834, 842, 1437 and opposing House Bills 553 and 834 and Senate Bill 248. We increase our footprint on the State's juvenile policy in the coming session and will draw upon the lessons and practices of last year to continue our successful advocacy.

## **Judges Meeting**

**By Francha Davis, Ex-Officio representing Voices for Children**

This year's annual Commission on Juvenile Justice consisted of a Virtual Meeting held with judges, who hear Juvenile Court cases on Tuesday, June 16, 2020. Twenty-four Commissioners attended, along with Judge Cynthia Callahan (Family Judge in Charge), Judge Anne Albright, Judge Karla Smith, Judge Michael McAullife, Judge Christopher Fogleman (an Emeritus Commission member), Special Magistrate Lena Kim, and guests Jennifer Gauthier, Lead4Life and Oneil Ormsby, Montgomery County Police Department.

The Commission's purpose in inviting the judges to meet annually is to hear the judges' perspectives about current juvenile justice system issues and to identify any obstacles and challenges to support Commission advocacy initiatives. Commissioners presented questions about everything from a perceived overabundance of peace orders between juveniles and the trend of moving kids out of DJS placements into more community-based service, to School Resource Officers and the impact of COVID-19 on court operation. During the conversation, the judges expressed their appreciation for DJS' good communication with the Court and praised the Juvenile Court bar, their professionalism and sensitivity in their work with the young people they represent.

The Commission on Juvenile Justice deeply appreciates the open communication it enjoys with the judges who hear juvenile delinquency and children in need of assistance cases and looks forward to continuing that relationship in the coming year.

## **Matters of Communication in Juvenile Justice**

**By Carole L Brown, Emeritus Member**

When juvenile practitioners are working with young people, in addition to several language barriers that may surface and require attention; efforts are upheld to ensure steps in court proceedings are understood by juvenile clients. While serving as a Juvenile Justice Commissioner and representative with Criminal Justice Coordinating Commission, it became clear communications involving adults and minors can overlap and hinder effective communication. Unless otherwise defined more broadly in judicial settings, below are

contrasting differences in basic nomenclature. The referenced material may be useful when discussing topics about youth, who encounter the juvenile justice system.

### **Delinquent Act vs. Crime**

Delinquency Cases – Such legal matters involve children who have committed a “delinquent act,” which is an act that would be a crime if committed by an adult.

A delinquent act is an act, by a person under age 18, that if committed by an adult would be a crime.

### **Delinquency Petition vs. Complaint**

A delinquency petition is a request filed by a youth’s court representative in cases where a child under 18 years of age commits a delinquent act. The delinquency petition outlines any act, which brings the juvenile within the court's jurisdiction.

In adult court, the defendant is charged by using a document called a “complaint,” whereas in juvenile court, the child is charged with a document called a “Petition.”

### **Minor vs. Defendant**

In Maryland, a child under the age of 18 is considered a juvenile. Since state law requires that a juvenile who commits a crime be treated differently than an adult, juvenile cases are handled in the Juvenile Court system.

In adult court, a youth is referred to as a “minor,” not a “defendant.”

### **Admit/Deny vs. Guilty Plea/Guilty**

In juvenile Courts, juveniles will plead “admit” or “deny” to the charges against them. A plea of “no contest” is not accepted in juvenile Court.

In adult Courts, defendants plead “guilty” “not guilty,” or in some cases “no contest” (meaning the defendant accepts a conviction but does not admit guilt).

### **Adjudication/Sustain Petition vs. Conviction**

An adjudication is a court proceeding handled by the juvenile court. After the conclusion of the adjudication is, the juvenile court judge will either dismiss or sustain the petition.

A sustained petition is the juvenile court equivalent of a conviction in adult court. If a petition is sustained, the juvenile court judge will pass sentence on the minor.

In adult court if the defendant is found guilty, they are “convicted”, whereas in juvenile court the child is “adjudicated delinquent.”

A conviction is an action that declares a person guilty of a crime or wrongdoing in the court of law. Such offenses are considered punishable.

#### References:

Juvenile Delinquency: Maryland Counts. People's Law Library of Maryland. Accessed November 1, 2020 at <https://www.peoples-law.org/>.

Juvenile Court Terminology. *National Juvenile Defender Center*. Washington, DC. Accessed November 1, 2020 at <https://njdc.info/juvenile-court-terminology/>