



Montgomery County, Maryland
Department of Health and Human Services

Commission on Juvenile Justice Annual Report 2020-2021

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 to all assemblies is offered through the Montgomery 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

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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 2020-2021

Executive Committee

Executive Committee

Chris Jennison, Chair

Ebony Stoutmiles, Vice Chair

Kevin Redden and Thomas Squire, Legislative Committee 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, Voices for Children
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
Patty Lyman, Montgomery County Collaboration Council for Children, Youth and Families
Carlotta Woodward, State's Attorney's Office

Emeritus Members

Carole Brown, Editor
Christopher Fogleman
Wendy Pulliam

Commission Structure 2020-2021

During FY-21, 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 **Legislative 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:

- **Orientation Committee**
- **Nomination Committee for Executive Committee and prospective new members**
- **Youth Panel**

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, 2021.

The Commission on Juvenile Justice recognizes the importance of supporting and advocating on behalf of opportunity youth, 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-21 reflected the Commission's commitment to promoting these young people and enriching Montgomery County through the opportunity that they represent, while also focusing on the critical need for significant juvenile justice reform across the system in Maryland.

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 reentry options for youths 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.

As has been the case for the past few years, 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.

The Commission took up a new initiative this past year: advocating for the Juvenile Interrogation Protection Act (JIPA). Under current Maryland law, police can detain and interrogate a child without a parent's presence or knowledge that their child is being questioned or arrested. This legislation protects against false confessions by giving juveniles access to counsel prior to any custodial interrogation. At a minimum, it sets up a procedure for law enforcement to notify, not just make reasonable efforts to contact, a parent or guardian prior to an interrogation. Though the legislation passed the House of Delegates, it did not get voted out of the Senate Judicial Proceedings Committee. The Commission has recommitted to advocating for this legislation in FY2022.

Finally, the Commission took up the cause of examining the concept of School Resource Officers (SROs) in Montgomery County Public Schools. The Commission held several meetings with student guests, staff from Councilmembers, and in-depth discussions with Agency representatives. The Commission advocated for Councilmember Navarro's public safety cluster model, comprised of police officers, mental health professionals, and positive youth development staff.

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.

Legislative Committee

By Kevin Redden and Thomas Squire, Co-Chairs of the Legislative Committee and Citizen Commissioners.

The 2021 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 Maryland's policy making by implementing new processes and increasing contact with advocates and legislators. An example of this practice includes the development of new tracking method that is entirely digital and enabled more commissioners to actively participate. This change increased the Commission's flexibility and enabled Commission members to quickly and accurately track all pieces of legislation introduced while easily differentiating which bills passed and which failed. The new method also 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 2021.

In addition to letters written on behalf of the Commission urging action or inaction, members became more involved in the legislative process in 2021. Commissioners engaged with issue advocates throughout the legislative process to refine multiple pieces of legislation, which included:

- **HB315/SB136 Juvenile Interrogation and Protection Act** - Motion passed to support the bill. Legislative committee member Tracey Friedlander wrote the testimony and Legislative committee member Ebony Stoutmiles testified at the hearing.
- **HB0409 Juveniles Convicted as Adults - Sentencing - Limitations and Reduction (Juvenile Restoration Act)** - Authorizing a court, when sentencing a minor convicted as an adult, to impose a sentence less than the minimum term required by law; prohibiting a court from imposing a sentence of life without the possibility of parole or release for a minor; authorizing an individual convicted as an adult for an offense committed as a minor to file a motion to reduce the duration of the individual's sentence; requiring the court to conduct a hearing on a motion to reduce the duration of a sentence; etc. Motion passed to support the bill. The Legislative committee wrote a letter in support of the bill.
- **HB0382 Juvenile Law - Conduct by Children Involving Sexually Explicit or Nude Images** - Prohibiting a child, an individual under the age of 18 years, from knowingly sending, displaying, or publishing to another a sexually explicit or nude image depicting another child under certain circumstances; prohibiting a child from knowingly sending, displaying, or publishing to another a sexually explicit or nude image depicting only himself or herself under certain circumstances; prohibiting a child from knowingly possessing a sexually explicit or nude image

depicting another child without the other child's consent; etc. Removes the criminality of child pornography for some aspects. Motion passed in favor of the bill. Legislative committee wrote a letter in favor of the bill.

- **HB0180 Juveniles Sexting** - The Commission opposed this bill because it did little to address the concerns expressed by the Court of Appeals in *in re S.K.*, 466 Md. 31 (2018). Further, the bill not only fails to adequately remedy the issue of criminal liability of a victim of revenge porn but would still allow for that victim to be ordered to register on the State's sex offender registry. This disposition in itself is a punishment which is equal to, and in some cases is greater than, a criminal punishment which could have been imposed. Motion passed to oppose the bill. Legislative committee wrote a letter in opposition of the bill.
- **HB0672 Department of Juvenile Services – Juvenile Offense Database** Requiring the Department of Juvenile Services, in coordination with the Administrative Office of the Courts, to develop, maintain, regularly update, and publish a searchable database of all offenses involving juveniles on its website; prohibiting the database from containing certain information; providing that certain provisions of law mandating the confidentiality of certain juvenile records do not prohibit access or use of the publication; nor certain information about certain juveniles in databases; etc. A motion passed to oppose the bill. The legislative committee wrote a letter opposing the bill.

Letters pertaining to the above legislation are currently accessible from the website [Montgomery County](#) for the Commission on Juvenile Justice.

School Resource Officers Meeting

By Francha Davis, Ex-Officio representing Voices for Children

During FY21, the Commission on Juvenile Justice researched, discussed, and voted to support Montgomery County Council bill (Bill 46-20), which proposed to eliminate School Resource Officers (SROs) from the Montgomery County Public School buildings.

Commissioners heard speakers on and discussed this issue at its November 2020 meeting. Speakers included Steve Neff, Director, Division of Pupil Personnel and Attendance Services; Capt. C. Thomas Jordan, Montgomery County Department of Police, Director, Community Engagement Division; Susan Farag, Legislative Analyst, Montgomery County Council; [Nick Asante](#), Richard Montgomery High School, Student Member, Montgomery County Board of Education; Captain C. Thomas Jordan, Montgomery County Department. of Police, Director, Community Engagement Division.

Commission speakers offered diverse points of view about the benefits and negative consequences of having police officers stationed within our school buildings. Over the

next few months, the Commission's Legislative subcommittee researched the issue by reviewing reports and statistical information provided by stakeholders, attending public hearings and task force meetings to discuss the bill, and review State legislation on issues proposed during the 2021 session. The Commission's Legislative subcommittee made a recommendation/motion to the full Commission on Juvenile Justice that the Commission support Bill 46-20. The motion was passed at the Commission's March 2021 meeting.

The Impact of Coronavirus on Youth Presenting at Maryland Juvenile Detention Facilities

By Carole L Brown, Emeritus Member and Commission Editor

During the spring and summer of 2020, the Coronavirus pandemic forced organizations across the country to adapt to a new normal. As such, juvenile justice systems took measures to determine how to keep both incarcerated youth and staff safe from the virus, often while coexisting in close quarters.

According to the Youth Sentencing Project, lessons learned during the pandemic resulted in the following recommendations:

- Limit admission to facilities to youth who pose an immediate and serious threat to their communities.
- Restrict the use of incarceration only to those youth who cannot be, safely, treated at home.
- Release post-adjudication youth who are near the end of their treatment.
- Ensure frequent communication between incarcerated youth and their families.
- Medical personnel should supervise medical isolation, not security personnel.
- Facilities should implement widespread testing among youth and staff to determine the spread of the virus.
- States should publish the number of tests with positive and negative results among youth and staff in all their facilities, whether managed by the state, its counties, or contract providers.
- The Office of Juvenile Justice and Delinquency Prevention (OJJDP) should publish data compiled by the states.
- States and OJJDP should publish current data on population counts in all facilities.
- States and OJJDP should publish current data on population counts by race and ethnicity.

Closer to home, in November 2021, the Maryland Department of Juvenile Services (DJS) announced a realignment plan that will phase out four facilities and expand the Cheltenham Youth Detention Center in Prince George's County.

After evaluating the current population of juvenile detention centers, the Maryland DJS proposed realigning its facilities, so youth are connected to the communities where they live.

According to DJS, Secretary Sam Abed asserted that the changes focused “on consolidating resources, investing in our programs, and ensuring Maryland’s young men and women closer to home.”

Under the plan, the Thomas J.S. Waxter Children’s Center in Laurel, Alfred D. Noyes Children’s Center in Rockville, Mountain View in Swanton, and Green Ridge Youth Center in Flinstone will all close between 2022 and 2027.

The Maryland DJS also confirmed that a new girls detention center will open at Cheltenham campus in 2025, offering 24 beds; and a novel treatment center will open on the campus in 2027, adding 48 beds. The Department maintains the design will lessen its footprint, increase efficiency, and keep families closer together.

References:

The Sentencing Project Report: Youth Justice Under the Coronavirus, Washington, DC. October 26, 2020.

Department of Juvenile Services Will Close Four Facilities, Expand Cheltenham Youth Detention Center. Baltimore Sun, November 17, 2021.