



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Isiah Leggett  
County Executive

Uma Ahluwalia  
Director

COMMISSION ON JUVENILE JUSTICE

Meeting Minutes

January 19, 2016

**CITIZEN MEMBERS PRESENT:** Shehzad Akhtar, Maria Blaeuer, Carole Brown, Bonnie DeWitt, Chris Fogleman (Vice-Chair), Karen Francis, Michael Gruenberg, Barbara Holtz, Mehul Madia, Julie Malloy, Jessica Markham, Perry Paylor, Roberta (Birdie) Pieczenik, Carlean Ponder (Chair), Wendy Pulliam, Jessa Wilcox and Tisha Wiley.

**AGENCY MEMBERS PRESENT:** Amy Bills, Frank Duncan, Risa Mainprize, Michael Subin, Ira Thomas, Jenny West-Porter and Elijah Wheeler

**ABSENT MEMBERS:** Francha Davis, Susan Farag, Stacey Gurian–Sherman, Captain James Humphries, Erynn Penn, and Mary Siegfried.

**STAFF LIAISON PRESENT:** Diane Lininger

**SPEAKER:** Secretary Sam Abed, Maryland State Department of Juvenile Services

**GUESTS:** Eric Gaines, Delmonica Hawkins, Betsy Tolentino, Karyn Gross, Mara Parker, Nick Moroney, Glona Bowen, Mariam Veppumthara, Sean Murphy, Matthew Paris and Margi Josh

Commission on Juvenile Justice

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facsimile

- I. **Speakers** – Carlean Ponder Chair, introduced Secretary Sam Abed, Department of Juvenile Services. The Secretary provided opening remarks and recognized individuals in the Commission meeting.

The Secretary talked about two reports that take a developmental approach to providing services to juvenile clients, first report a 2012, and he mentioned a follow up report around implementation, as a way to push states into Juvenile Justice reform.

The recommendations in the report have been embraced in MD and his office has had a hand in its' rollout. He went to mention that there are hallmarks in the report and recommendations.

Family engagement is really needed more than involvement, as he wants to engagement parents as agents of change for the child. The Office of Family Engagement, which is directed by Janice Marques, who is an attorney and just started just before the Thanksgiving holiday is still settling in her new office.

Visitation was mentioned as a constant issue for families and youths because families don't know the rules for visitation, for example folks aren't allowed to have open-toe shoes, a policy that has since been removed, and the Secretary plans to continue reviewing such policies.

He exclaimed that a developmentally informed system was better for juveniles and would produce more positive outcomes for youth.

Community Conferencing: is a new strategy being used, as a way to repair and mediate the harm that has been created by juvenile offenders. Seeking an apology from the juvenile is a part of the process---the Secretary believes this is a way to avoid youth entering into the criminal justice system.

Carlean inquired about when the Secretary would use such a strategy. The Secretary mentioned that his office had recently entered into a contract with a private vendor to provide community conferences and other restorative justice services.

On the issue of racial and ethnic disparity, the Secretary stated that he is seeing a decline in the level of disparity, but it is happening faster for Whites and not other subgroups, and this is only for intakes. He stated this has to be looked at every point of decision. He spoke about an example of a kid who had a property crime, but was violated on a technical violation of probation which resulted in an intense response that takes the juvenile deeper into the system.

The Secretary then spoke about implicit bias, and his feeling and beliefs about how to control for bias. He mentioned that his office is using a tool that helps with controlling the impact of bias upon a case. It seems like the department has developed a rubric or code of conduct. He highlighted and exercise with his own staff that did instant charting of prospective on violation of students. He believes that injecting objectivity into subjective decisions.

Accountability and Incentive Management:

The Secretary wants his officers to move away from traditional surveillance to more incentive-based approached. He mentioned that the Department of Justice just published their Data Resource Document, and referenced it could be gotten online, and that there is no new data for the new initiative.

Question 1:

The governor is to release his budget tomorrow, but the Secretary was unable to speak about anything for his office. There are 7 regional detention centers statewide, yes he could consolidate some facilities, but there isn't much return in doing it.

Question 2:

He stated that DJS folks are trained and know how to write reports and there are 5 factors that count. DJS workers report on those 5 factors

Question 4:

Seclusion has become a huge problem, Office of Juvenile Justice and Delinquency Prevention (OJJDP), has moved to stop punitive seclusion, and it isn't being used anymore, or it is used to stop a youth from continuing to create harm to oneself or others. Seclusion on average there is 2hrs of seclusion, and done safety and security reasons. He acknowledges that the use of seclusion can be punitive, if it's for a long period of time. Incident data for November was 16 for all 14 facilities across the state.

Question 5:

There are no regulation around the size of a youth's room, but a standard of 80 square feet is used for single style rooms, however there is significant use of dormitory structure.

Question 6:

The vast majority of center don't use this practice. One court in PG County has been used in it.

Question 7:

He wants the judiciary to remain involved, but wants to see the flexibility of the graduated response, and doesn't like the absolute languages by judges.

Question 8:

Chief Justice Barbera put out an order that there is to be no restraints used while in the court room, however there are orders that states restraints are to be used, but at the same time a common sense approach has to be used. He mentioned that the issue of cell phone in adult prisons and the safety issues. He said strip searches

have to happen because of the level of contraband that finds its way into facilities which create security and safety issues

Question 9:

He talked about Charles E. Hickey School receiving all the youth from the Alfred D. Noyes Center due to asbestos remediation. There was space at Hicky to move kids and allow the renovation work at Noyes. Sometimes there are a few kids make up a large number of incidents, they review the incidents thoroughly which involve investigating staff. Admin has only 30 days to investigate an incident involving a youth and staff, as well as reporting to the State Police.

Question 3:

The mechanism used is still having a youth to go before a court Master, who decides what is to happen. DJS is just involved in housing, most jails don't want youth in their adult detentions, as the majority of youth charged as adults happens in Baltimore City. Currently 44 youth charged as adults and 47.7 kids charges as adults in 2015.

15 Cheltenham; 16 Hickey; and 3 Noyes

Carlean brings things to order and thanks the Secretary and his staff for their time with the Commission

**II. Old Business**

November meeting minutes approved with no edits

**III. Announcement:**

**A.** Retreat date is February 20, 2016 (snow date February 27, 2016). All Commissioners are encouraged to be in attendance.

**B.** Annual meeting with the Juvenile Judges will be held on April 19<sup>th</sup>. Mike Subin offered to host meeting on 9<sup>th</sup> floor of the EOB.

**IV. New Co-Chair of the Care and Custody Committee - Motion was made for Maria Blaeur to serve as Co-Chair of Care and Custody. Motion was approved.**

**V. Meeting adjourned**