



DEPARTMENT OF HEALTH AND HUMAN SERVICES
Commission on Juvenile Justice

Marc Elrich
County Executive

James C. Bridgers, Jr. Ph.D., MBA
Director

Commission on Juvenile Justice Meeting

Tuesday, November 19, 2024

Virtual Meeting

CITIZEN MEMBERS PRESENT: Kimberly Alfriend, Bonnie Beavers, Carol Cichowski, Tracey Friedlander, Gerda Gallop-Green, Melissa Goemann, Ashyia Johnson, Scott Joftus, Andrew Messick, Elizabeth Pentecost, Michael Pinard, Jonathan Scriven, Tom Smith, Tony Summers, Heather Sweren, Shuaa Tajammul, and Erin Whaley.

AGENCY MEMBERS PRESENT: Joanna Bonner, Francha Davis, Shakirra Haynes, Elizabeth Emen, Susan Farag, Brett Lonker, Steve Neff, Jordan Satinsky, Nathaniel Tipton, and Carlotta Woodward

ABSENT MEMBERS: Joshua Pestaner, and Kevin Redden,

ABSENT EMERITUS MEMBERS: Carole L. Brown and Chris Fogleman.

GUESTS: Christopher Daniel, Samar Khleif, Stefan Lo-Buglio and Megan Travers,

SPEAKERS: Senator William E. Smith and Delegate David Moon.

STAFF LIAISON PRESENT: Diane Lininger

- I. **Welcome** – The meeting was opened by Carlotta Woodward and Melissa Goemann, Co-Chairs of the Montgomery County Commission on Juvenile Justice (CJJ).
- II. Introduction of Speakers Senator William Smith and Delegate David Moon. Carol Cichowski, Chair of the Legislative Committee to ask Questions.

A. Questions for Legislators

Automatic Charging of Youth as Adults

1. Ending the automatic charging of youth as adults has been the subject of proposed legislation for more than 10 years in the MD GA. Do you think the legislature is finally ready to take up this issue? Does the leadership in either house want to address this issue in 2025?
 - Senator Smith- Trend lines are down regarding Juvenile Crime. However, because there was a bruising fight on the JJRA last session, there is not going to be an appetite to take up big reform legislation this session and this bill is not popular. He wants to take up a compromise bill that would remove 75% of the auto charging cases. He thinks this might be able to pass. No House sponsor yet.
 - Delegate Moon – Also doesn't see any chance of a full YES Act passing. Not sure if anything could pass in the House.

Local Behavioral Health Authority • Behavioral Health and Crisis Services

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2. In your opinion, what do you think a bill to end automatic charging should look like? For example, would you support a bill to start all cases involving juveniles in juvenile court or do you think young people who commit certain categories of offenses should continue to be charged as adults? Smith: He would hesitate to go that far in this political climate.
3. Under current law a 16- or 17- year- old who is charged with murder is precluded from petitioning for a transfer to juvenile court. Do you think these teenagers, or any others should be barred from seeking a **transfer to juvenile court** if they are initially charged as adults? How about cases in which the basis for the murder charge is the application of the **felony murder doctrine** and the case did not otherwise satisfy the criteria for first degree murder? Do you think any consideration should be given to **the individual's background, mental health, disability condition, or other factors that bear on the root causes of the behavior** in determining whether the case should be heard in adult or juvenile court?
4. The passage of the **Juvenile Restoration Act**, which gives youth sentenced as adults a chance for resentencing after serving 20 years, indicates the legislature's recognition that people who have committed the most serious crimes as minors have the capacity to change and to be rehabilitated. Do you think minors convicted as adults should have access to the same **education, rehabilitation, and mental health** offered to other juvenile offenders or treated like adult offenders?

Other issues

5. Are you expecting bills to be introduced that would **weaken protections** provided in the Child Interrogation Protection Act or the Juvenile Justice Reform Act? Are there any changes you think need to be considered? Smith: He remains firm on no changes to CIPA and has told the State's Attorneys this. McCarthy has led the state in transparency in charging decisions and he thinks this should be replicated. He doesn't think they will take up amendments to the JJRA again this session.
6. In your opinion, what are some of the **drivers of justice involvement** or risk factors for youth that you think we need to try **to address locally**? Moon: He wants to see what programs are operating in the County and are they having a positive result? He wants to see the data. Are there programs for kids with firearms and auto theft and are they effective?
7. Do you see a need for State action to help Maryland better address the needs of **youth with mental health or substance abuse issues** who are at risk of justice involvement or system-involved? Smith: Substance use is growing by the day.
8. What more can be done to keep **guns** out of the hands of youth? Moon: the law doesn't incentivize law enforcement to track where the guns are coming from. There is a growing consensus to do more on tracking of illegal guns, sale, manufacture. Last year they took up gun possession by juveniles so uneliely to take it up anew. But what are the programs for kids for gun possession and are they effective?
9. Where do you stand on the current treatment of **reportable offenses** under MD law? (These are offenses alleged to be committed by students in the community that are required to be reported by law enforcement to school officials.) Are you expecting this to be an issue this session?

10. What impact have **stories in the local press** been having on actions in the General Assembly, particularly **negative narratives** about juvenile crime, DJS, and previously enacted reforms? Not sure who said this but I think it was Smith: The media is back out there complaining about the interrogation act again and criticizing the legislators. Very likely they'll get legislation trying to roll things back again. Law enforcement is also quick to attack legislators.
11. **Youth with disabilities** are disproportionately represented in the justice system. Do you think we are doing enough to help this population avoid justice involvement and to appropriately support them when they are system involved?
12. Are there **other issues affecting youth at risk of or already system-involved** that you would like the General Assembly to address in 2025?

III. **Minutes from October 14, 2024, meeting** – Motion to pass, was seconded and all were in favor.

IV. **New business**

- a. Children's Center Ad-hoc Committee – Committee has not met.
- b. Legislative Committee - Carol stated that the committee will be meeting in January to discuss legislation.
- c. Subcommittee One – No updates
- d. Subcommittee two – Committee is going to review quarterly reports from the Juvenile Justice Monitoring unit
- e. Commission went to the Evening reporting center for a tour. Commissioners learned that Juvenile Justice involved youth are picked up from school and home. There is only one van for the whole county and it takes a long time to pick everyone up because youth are living in different areas. Evening reporting center really needs a second van.

V. **Motion to Adjourn** – Motion to pass, was seconded and all were in favor.