



MEETING MINUTES

Criminal Justice Coordinating Commission

Wednesday, Sept 25, 2024

7:30am – 9:00am

In Person Location: *Executive Office Building*

(101 Monroe Street, Rockville, MD 20850)

Auditorium (Located on the Lobby Level of the Building)

&

Virtual: [Microsoft Teams Meeting](#)

Or call in (audio only): [+1 443-692-5768,,561737888#](#)

Phone conference ID: 561 737 888#

Members Present: Kurt van der Walde (Chair), Dawn Luedtke (Vice Chair), Maxwell Uy, James Bonifant, John McCarthy, Ben Stevenson, Eric Schneider, Stefan LoBuglio, Kathryn Pontzer, Jeff Ewart, Marielsa Bernard, John Nesky, *Earl Stoddard (Staff)*, *Lindsay Bolt (Minute Taker)*

(Online)- Darryl McSwain, Monica Martin, Florence Jewell, Debra Grandy, Tracy McDonald, Sherri Koch, Sean Mukherjee, Carole Brown, Karen Bushell, Rochelle Perry

Members Absent: Jeff Waldstreicher, Richard Madaleno, Gail Roper, Mark Sroka, Antonio DeVaul, Victor Brito

Guests: Sarah Wolf, Arnecia Moody, Ivan Downing, Susan Farag, Keena Jones, Robert Lehman, Christopher Feldenzer, Tammy Bulla, S.A Flynn, Darren Francke, Jayme Derbyshire, John Patrick O'Brien, Jordan Satinsky, Lisa Mandel-Trupp,

1. General Business

Kurt van der Walde, CJCC Chair

Summary

- Review of 7/24/2024 Minutes for approval
- Welcomed the new members of the CJCC
 - Chief Marc Yamada – Montgomery County Police Department
- Discussion of the CERB Questionnaire and that CJCC Members will be sent the questionnaire again to review and provide feedback about how in which to respond. Staff will collate and send back out a final draft of the responses for Member approval before 10/30/2024 deadline.

Action:

- Board votes (17 Yes, 0 No) to approve the 7/24/2024 Minutes (Max Uy/ 2nd Dawn Luedtke)

2. Standing Agency Updates

- Circuit Court (Judge Bonifant)
 - Stats:
 - There were 137 New criminal cases filed in Aug 2024 of which the Circuit Court was able to close 112 cases; in July we were at a 118% closer rate
 - The number of juvenile delinquency cases were 58 in July and 50 in August, 54 cases were successfully closed in Aug.
 - Circuit Court is currently down 2 judges (from 24); with 1 additional judge set to retire in Dec 2024.
 - Judge Bonifant had flagged for the Governor's office that these positions should be advertised expeditiously so as not to fall behind on cases. Judge Bonifant notes that typically they do not advertise during Legislative session which is fast approaching
 - Both CM Luedtke and Dr. Stoddard noted they will apply pressure from their respective branches
- District Court (Judge Koch)
 - Reviewed the State of the Court Report
 - Traffic cases are at 98.1%
 - 91% of the Criminal Cases are in Time Standard
 - DUI Court
 - FY24 – 32 active participants
 - Processed 68 referrals
 - This court has 5 phases each participant must go through; several participants are already at Phase 4!
 - We received our 1st referral in Oct 2023
 - Mental Health Court
 - FY24 – 45 participants
 - 121 participants have Graduated the program since 2018
 - Competency Docket
 - Currently 116 cases
 - Placement issues
- State's Attorney (John McCarthy)
 - Sean Mukherjee (Montgomery County Public Defender) & John McCarthy (Montgomery County State's Attorney) discussed

- sanctions/fines against MDH when MDH is unable to place someone who is found incompetent within 10 days after trial
 - The fines recouped would reimburse our jails and attorney fees
- John and Sean have an IT workgroup discussing possible Discovery collaboration
- John feels it would be important to get State Legislation to allow DOCR treatment abilities for people awaiting placement
- Earl (ACAO) and Ben Stevenson (DOCR director) discussed their on-going meetings with MDH Sec. Herrera Scott and Bryan Mroz (Deputy Sec. of Operations) regarding Montgomery County having the largest share of all State beds (50%)
 - MDH has offered Multi-million dollars in Operating Costs for Montgomery County's Diversion Center which is looking to open in 2026, and Piccard Drive Diversion Stabilization Room expansion
- MCPD (Chief Marc Yamada)
 - Violent Crime is down
 - Shoplifting is at a 38% increase
 - District Commanders are working with Businesses to encourage prosecution

3. Briefing: Cannabis Legislation/Green Lab

Chief Marc Yamada, MCPD
Lt. John O'Brien, MCPD
Officer Jayme Derbyshire, MCPD

- 1/5th of all Dispensaries within Maryland are located in Montgomery County (18 dispensaries)
 - With 5 more coming soon
- The Montgomery County Traffic Division investigates every fatal crash in Montgomery County, testing for substance involvement
 - The State does not currently test fatal crashes as their belief is no one has ever overdosed on cannabis
- The Green Lab was developed to train our officers on the signs and symptoms of Cannabis use
 - Since 2017 – we have trained over 400 officers, there are typically 2 labs held per year
 - All entry-level officers are required to take the training prior to graduating
- Discussed areas needing improvement within the State

See PowerPoint enclosed at the end of the Minutes

4. Briefing: Jail Population

Ben Stevenson, Director, DOCR

- Discussed per diem rates
- Pre-Release currently has 65 participants but the capacity to serve 144

See PowerPoint enclosed at the end of the Minutes

5. Subcommittee Reports Kurt van der Walde, CJCC Chair

- Legislative Subcommittee (Lead: Sheriff Uy)
 - Subcommittee is focused on identifying/tracking and reviewing legislation relevant to CJCC
 - Unrelated to the Subcommittee reports, but Sheriff Uy noted the Sheriff's office is down officers, they currently have 21 openings
 - 4 are in the Academy now; 2 in field training
- Juvenile Justice Trends Subcommittee (Lead: Stefan LoBuglio)

6. Wrap-Up and Adjourn Kurt van de Walde, CJCC Chair

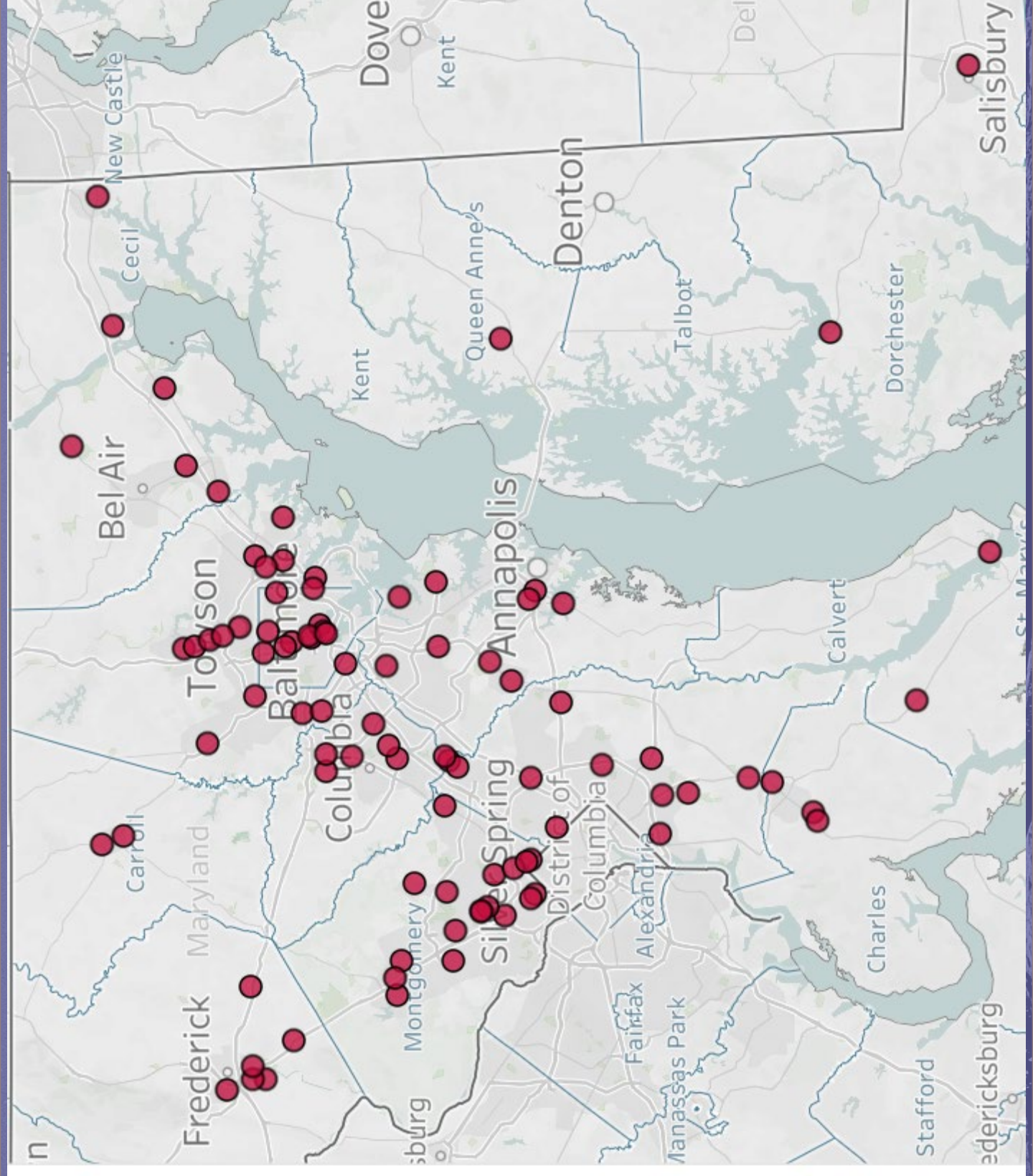
Next Full Commission Meeting: Wednesday, November 20, 2024 (7:30am-9am)
***In Person Location: Executive Office Building (101 Monroe Street, Rockville, MD) Auditorium
& Virtual via Microsoft Teams link***

CANNABIS LEGISLATION
IMPACTS/GREEN LAB
BRIEF
CRIMINAL JUSTICE
COORDINATING
COMMISSION - 2024



DISPENSARY DATA

- 18 dispensaries in Montgomery County.
- Highest number in any county.
- Dispensaries were required to upgrade to recreational **and** medicinal licenses by July 1, 2023.



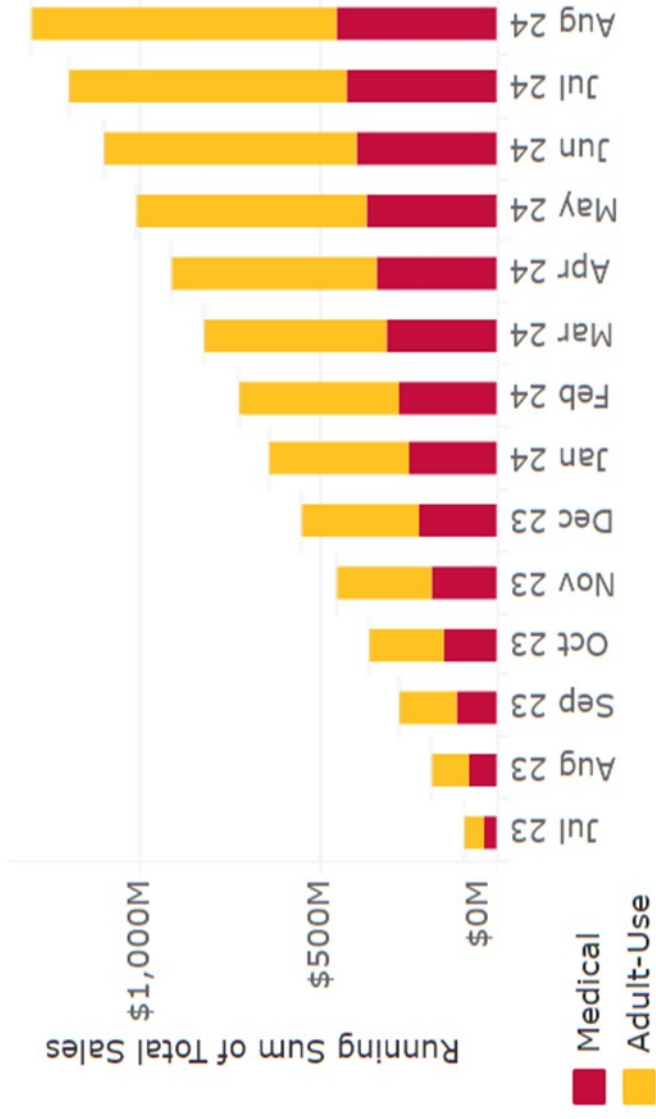
Entity Name	License Award Category	Region/Jurisdiction of Award	Proposed Location	Date of Conditional License Issuance
BETHESDA VENTURES I, L..	Standard Dispensary	Montgomery	Pending	8/9/2024
Crabgrass of MD, LLC	Standard Dispensary	Montgomery	Pending	8/26/2024
Gold Star Logistics, LLC	Standard Dispensary	Montgomery	Pending	7/11/2024
Pooja, L.L.C	Standard Dispensary	Montgomery	Pending	8/9/2024
SOL OF MONTGOMERY, LLC	Standard Dispensary	Montgomery	Pending	7/11/2024

- Montgomery County received 9% of the standard dispensary licenses offered this cycle.
- Dispensaries have 18 months from date of issuance to be up and running.

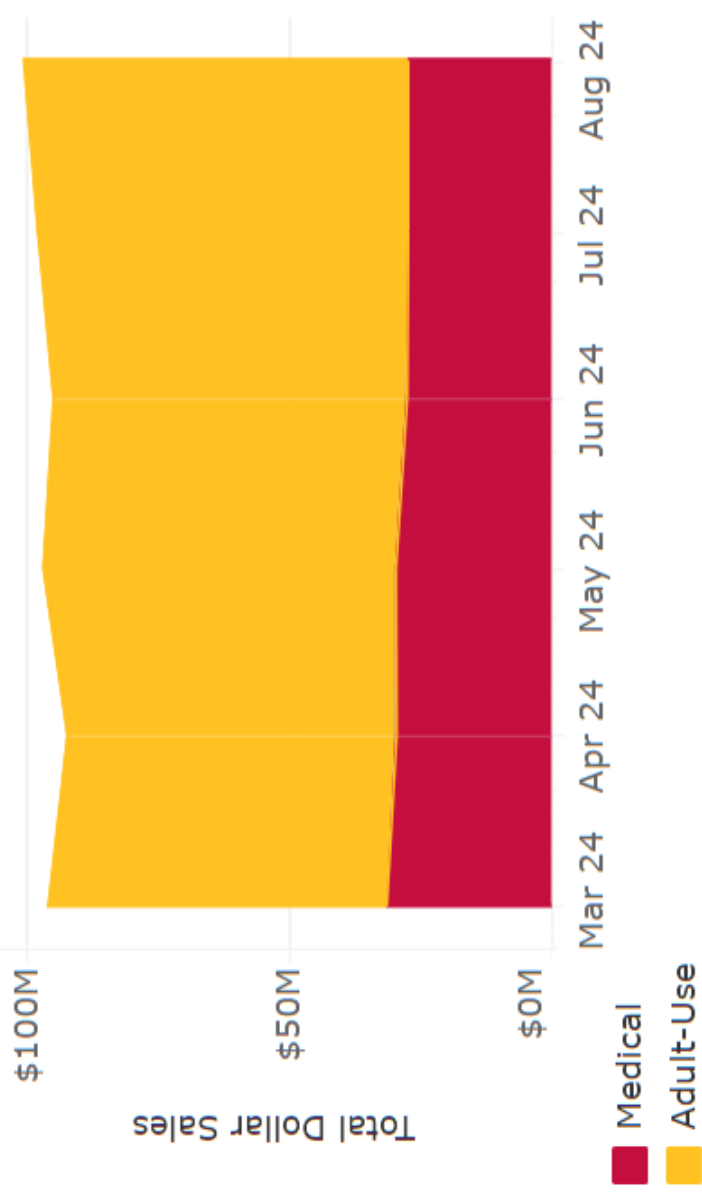
UPCOMING DISPENSARIES- MONTGOMERY COUNTY

MARYLAND SALES DATA

TOTAL MARKET SALES (SINCE 7/1/23)



TOTAL MONTHLY MARKET SALES



CANNABIS LABS

(Law enforcement training)

Cannabis Labs (aka Green Labs)-

- ❑ Provided to all officers as required training.
- ❑ Recognition with a NACo Award, front page of The Wall Street Journal, The Washington Post, Florida and Michigan television outlets, model for numerous others states from other Maryland jurisdictions to Hawaii
- ❑ Partnerships – universities, local and state legislators, private industry, dispensaries



STATE DATA



Illinois: 12% increase in fatal crashes involving cannabis since recreational legalization



Colorado: 138% increase since recreational legalization in cannabis positive drivers involved in fatal crashes (HIDTA 2023)



California: 976% increase in ER visits with marijuana use as being the primary reason for being seen (HIDTA 2020)



Studies show that states that have legalized have a 5% increase in crash risk compared to those that haven't (IIHS)



MARYLAND DATA/IMPACT

On-site consumption licenses:

Likely will be addressed by the GA in 2025.

Counties can opt-in or opt-out of these types of licenses and enact restrictions prior to the state approving a specific licensee



Dispensary related crime:

Since 2021 there have been 9 theft reports from dispensaries and theft from 1 grower.

2 robbery reports

(none in Montgomery Cty)



Crash data:

July 1, 2022-June 30th, 2023-
40 fatalities/19 substance involvement

July 1, 2023-June 30th, 2024-
34 fatalities/16 substance involvement



Increased
education for
consumers

Standard tox
panels on fatal
crashes to include
cannabinoids

Allowing for a
broader testing
panel to include
drugs with 0.08
BAC cases

Better regulation for
the black market to
include better
regulation on
medicinal/recreational
sales

AREAS NEEDING IMPROVEMENT

Roadside testing
improvements-oral
fluid, participation in
research, SFST
cannabis validation

Refusal rates for
submission to
breath and blood
testing is ~45% in
Maryland (2023
DEC annual report)

Baseline data
needed for
crashes and DUI
arrests

CHALLENGES OF LEGALIZATION

Overconsumption:

- ER visits
- DUID
- Youth impact

Increased use:

- Cannabis Use Disorder (10%)
- Psychosis

Little regulatory control of recreational sales:

- 9% sales tax
- ID required, age restriction

Inconsistency in labeling:

- THC % incorrect
- Dose amounts unclear





Montgomery County
Department of Correction and Rehabilitation

Criminal Justice Coordination Commission Montgomery County Arrest and Booking Population Analysis Trends Report



Ben Stevenson, Director

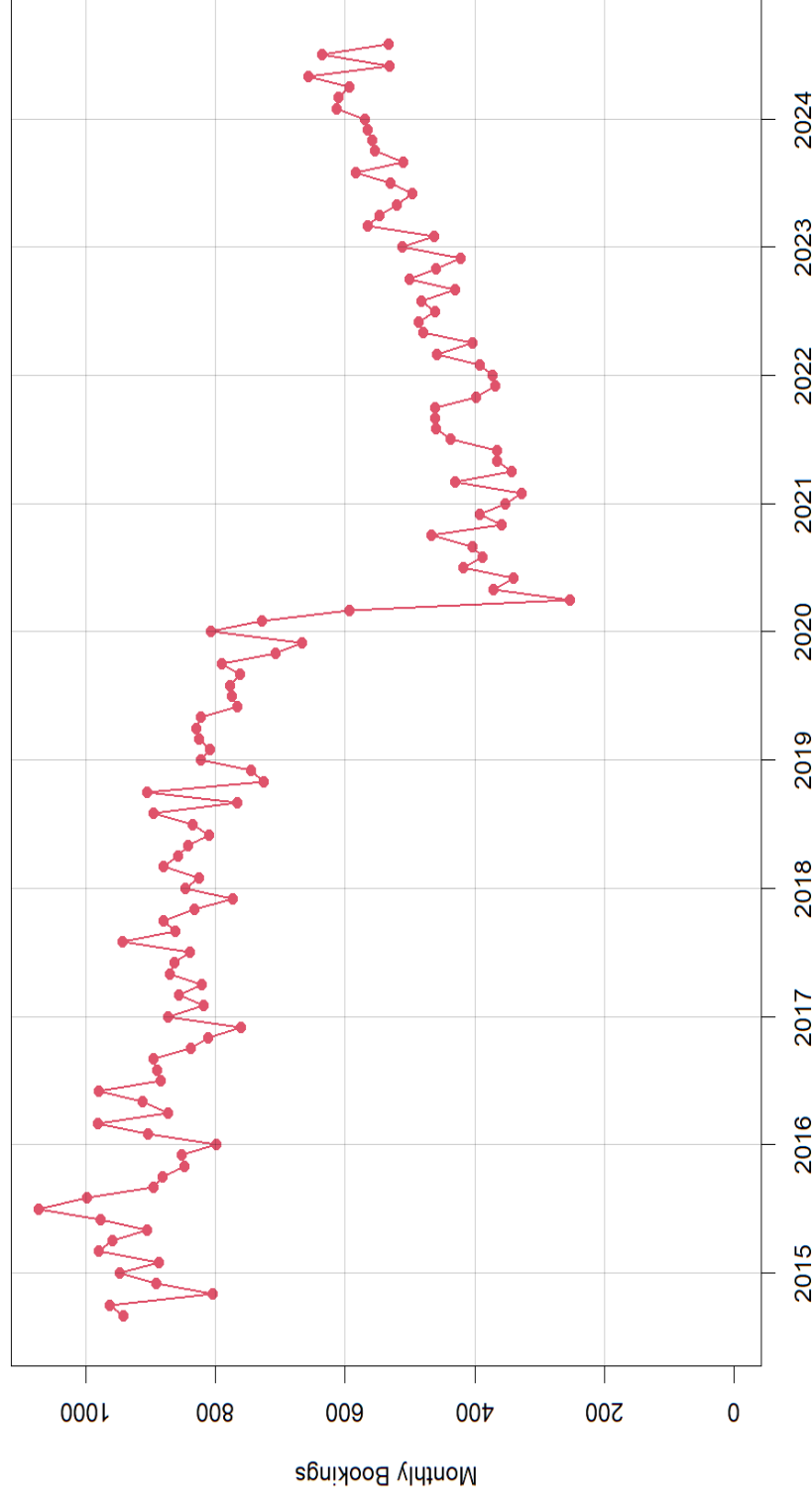
September 25, 2024

Arrests and Charges

Arrest and Charges Overview

- Arrests and bookings have increased significantly since 2020 during COVID restrictions, although still below pre-COVID levels.
- Since the lowest number of bookings (253) in April 2020, there has been an average monthly increase of about 5.4 bookings/month. This gradual increase is on course to return back to pre-COVID levels.

Bookings by Month, September 2014 - August 2024

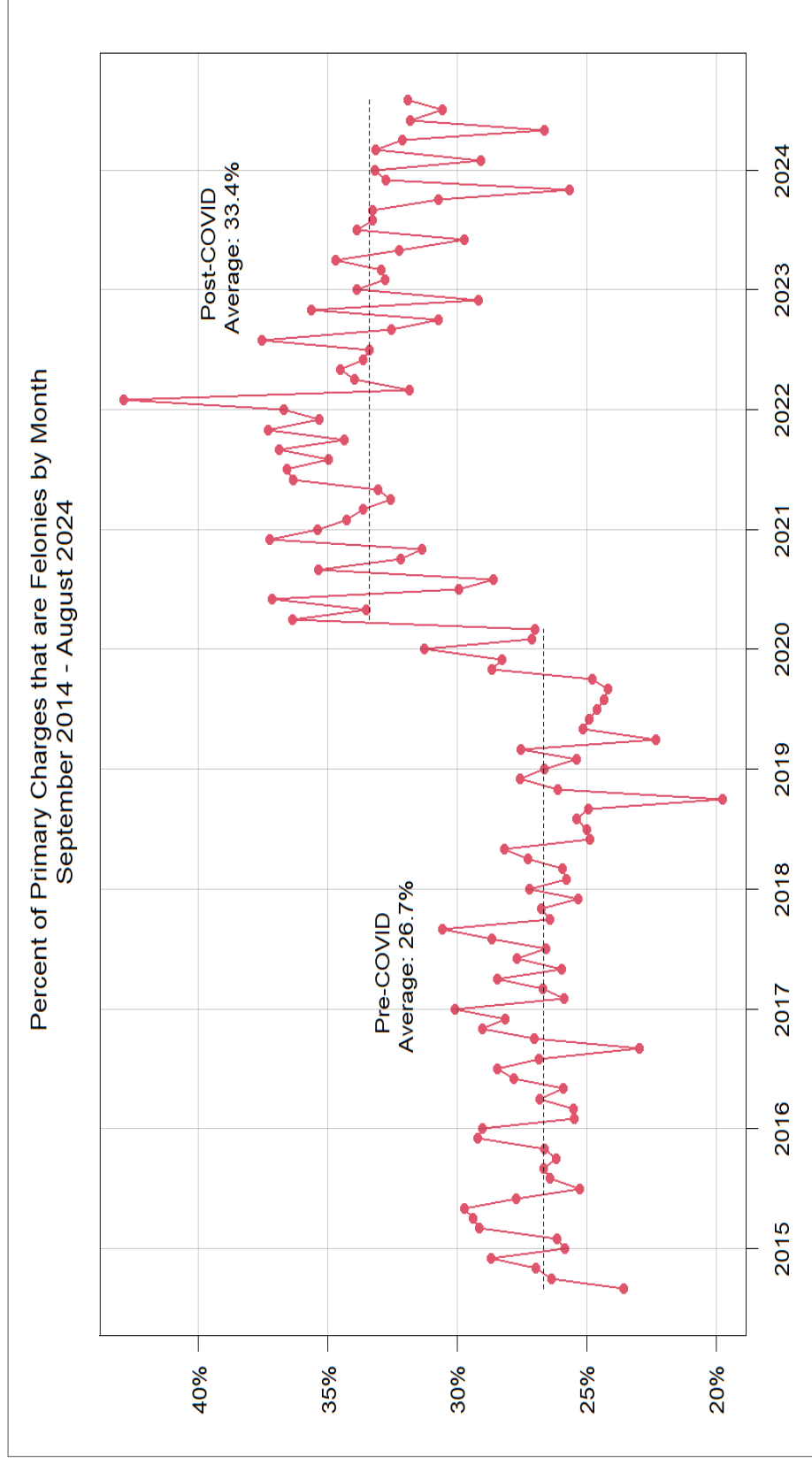


Arrests and Charges

Primary Charges with Felonies

Primary Charges with Felonies

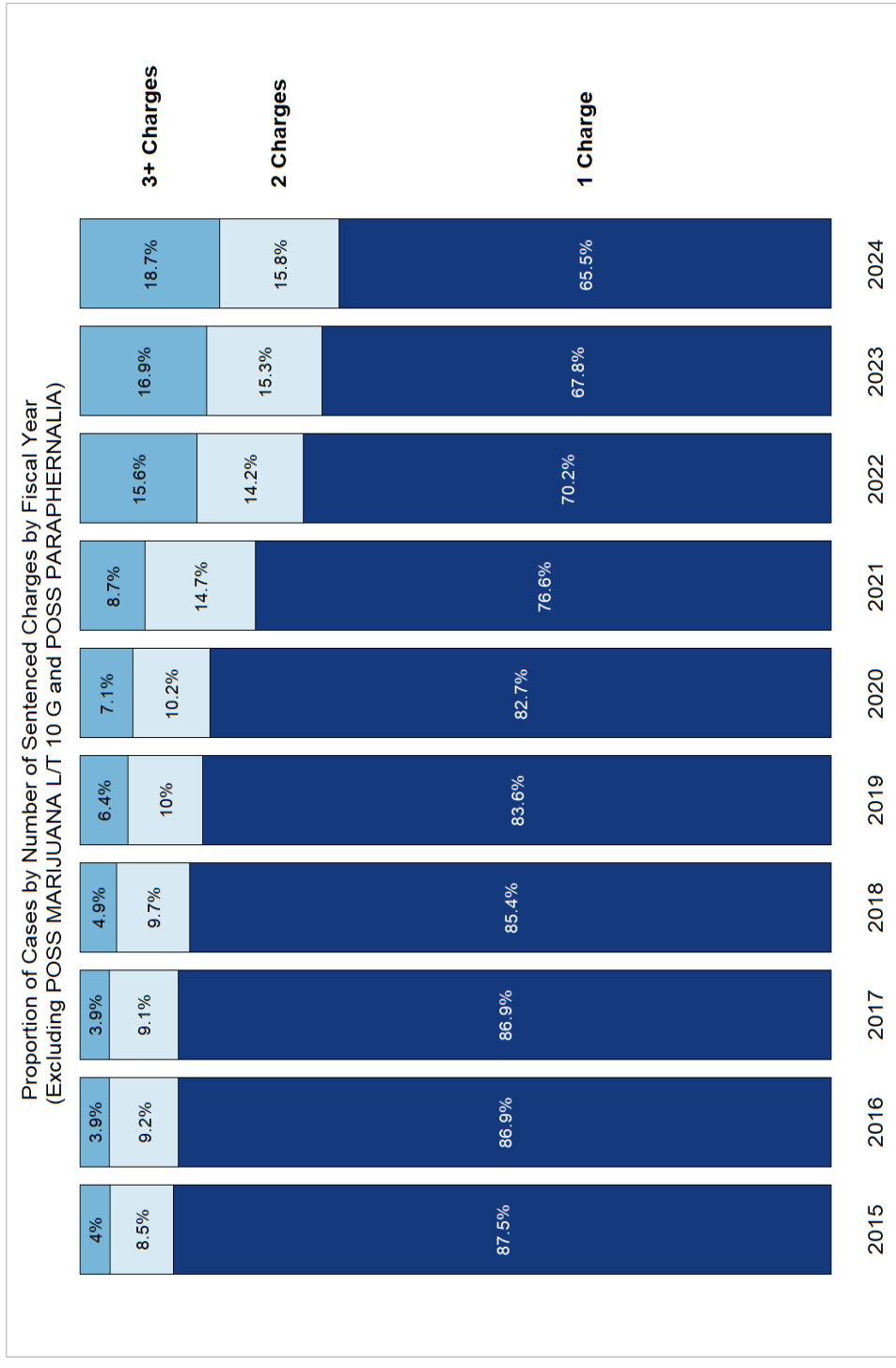
The severity of charges has increased in recent years. The percent of arrests with primary charges that are felonies is higher post-COVID (April 2020 to August 2024) at **33.4%** compared to pre-COVID (September 2014 to March 2020) at **26.7%**. This is a **6.7%** increase compared to pre-COVID.



Sentence Charges

- The number of charges per case that have been resolved/sentenced has been increasing. (Excluding charges related to marijuana possession)
In 2015, **88%** of cases had a single charge and only **4%** had three or more.
In 2024, **66%** of cases were a single charge and almost **19%** had three or more charges.

Proportion of Cases by Number of Sentenced Charges by Fiscal Year

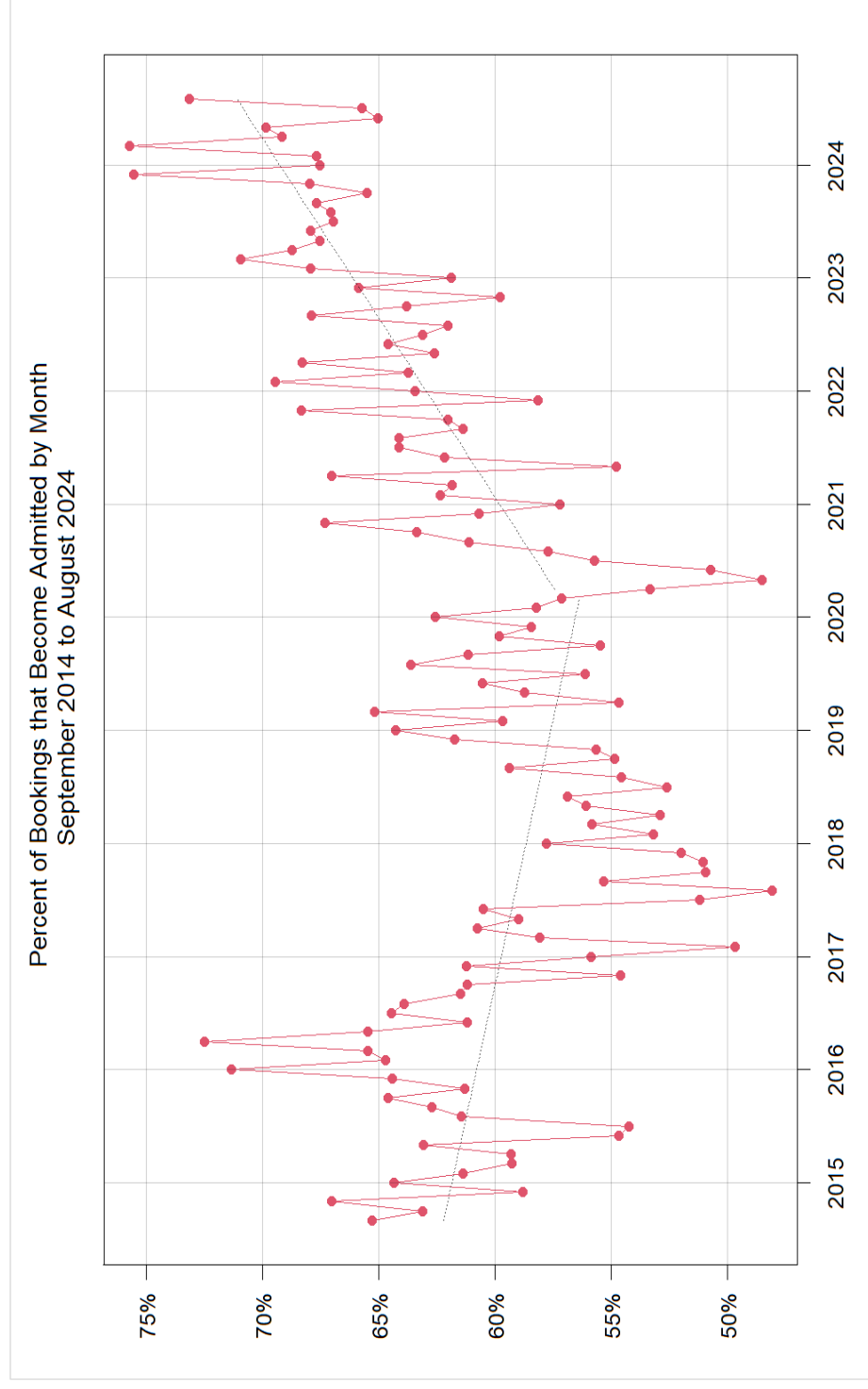


Arrests and Charges Sentence Charges

Pre-Trial Detention Overview

- The percentage of offenders that are admitted after booking has continually increased in the past several years and is at the highest level in the past 10 years. Between September 2014 and March 2020, there was an overall decreasing trend which has since reversed.
- In January through August of 2024, **69.3%** of offenders have been committed to some length of pre-trial detention compared to **60.4%** in the same period of 2019.

Percentage offender bookings that become admitted by the month



II. Pre-Trial Detention

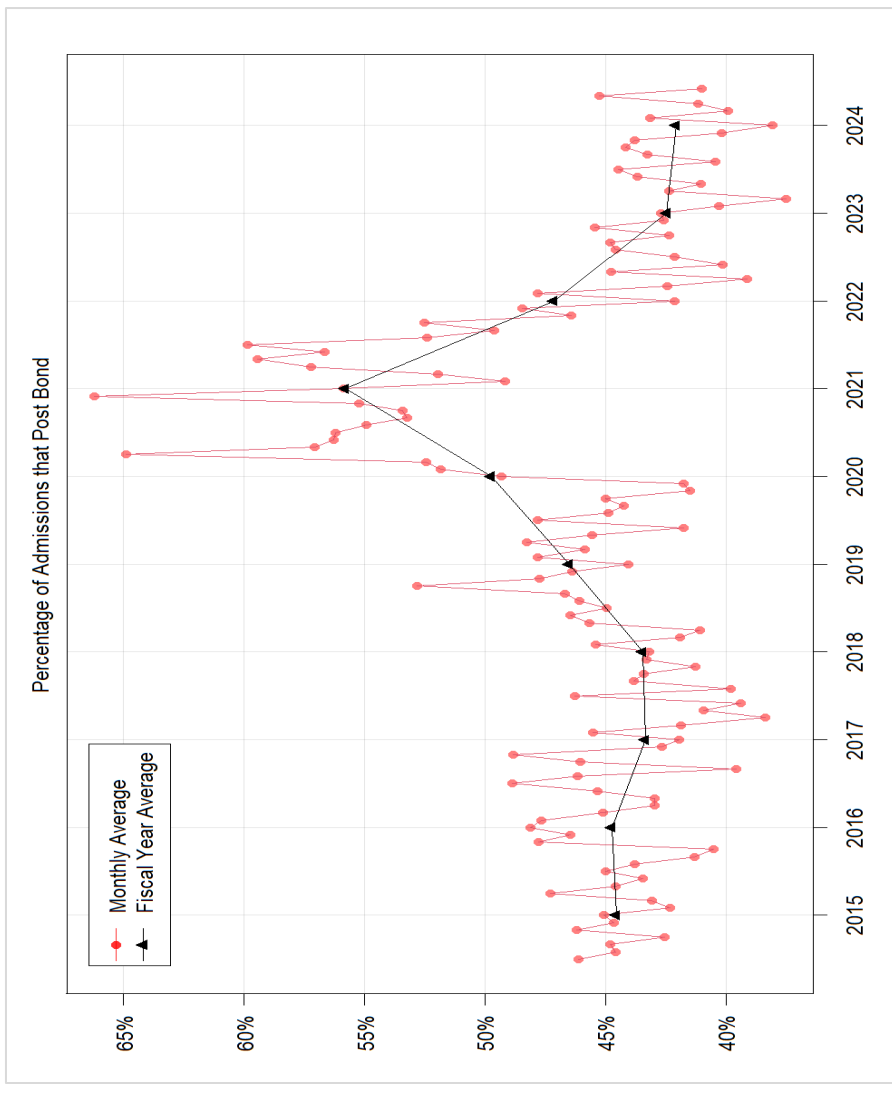
Bond Information

- The percentage of admitted individuals that post bond has returned to about pre-COVID level and is significantly lower than in 2020-2022. The percentage of admitted offenders who post bond is at a 10-year low.

Offender Bond Posting Information

FY	% Posted Bond
2015	44.56%
2016	44.74%
2017	43.35%
2018	43.46%
2019	46.50%
2020	49.75%
2021	55.80%
2022	47.14%
2023	42.46%
2024	42.07%

Percentage of Offenders Admissions that Post Bond



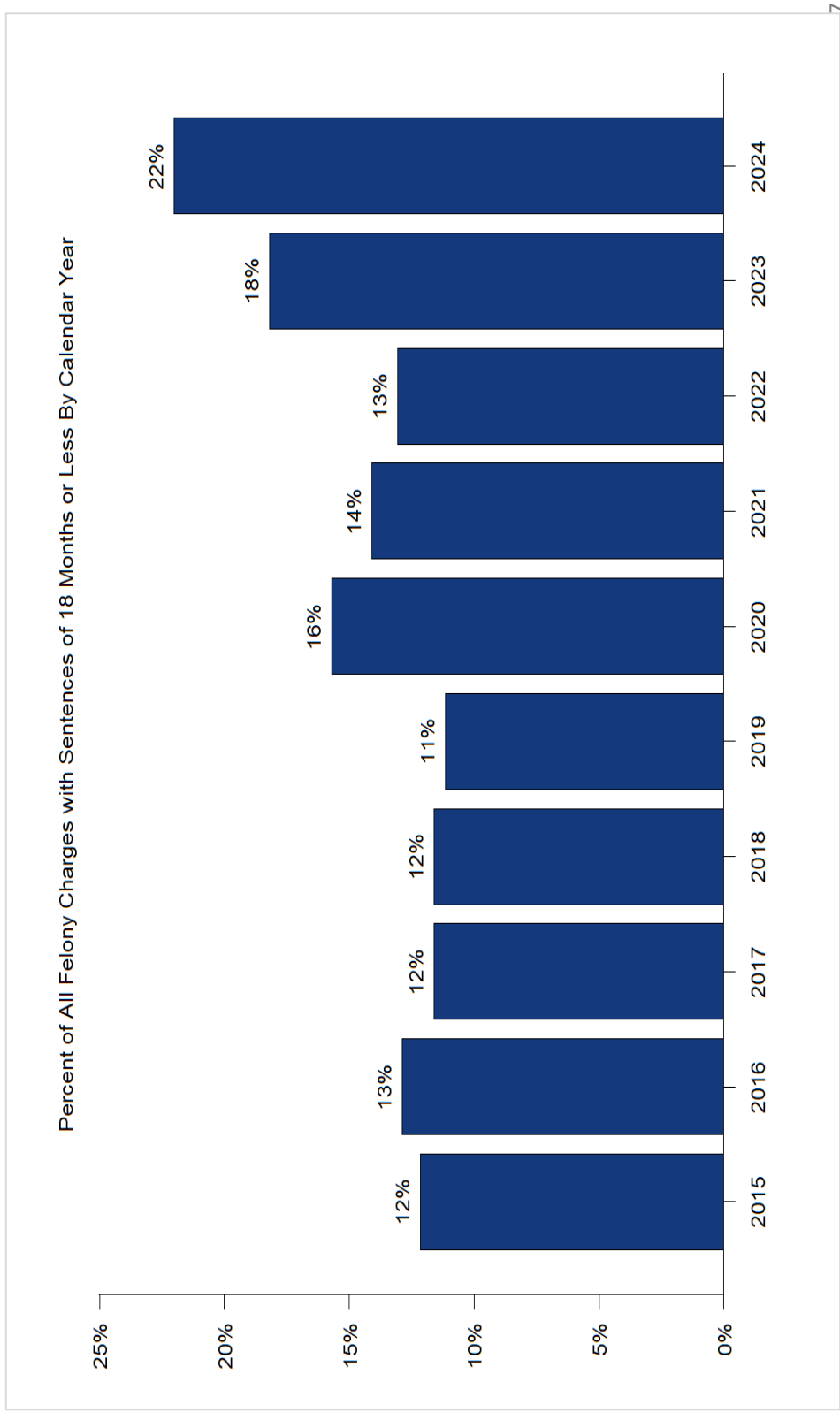
II. Pre-Trial Detention Bond Information

Sentencing Length Overview

- Overall, the percentage of charges receiving sentences of less than or equal to 18 months has increased. When controlling for severity of charge (to account for changes in types of crimes over time), the percentage of felony charges with sentences of 18 months or less has increased.

Sentencing Length

Percentage of All Felony Charges with Sentences of 18 Months or Less by Calendar Year

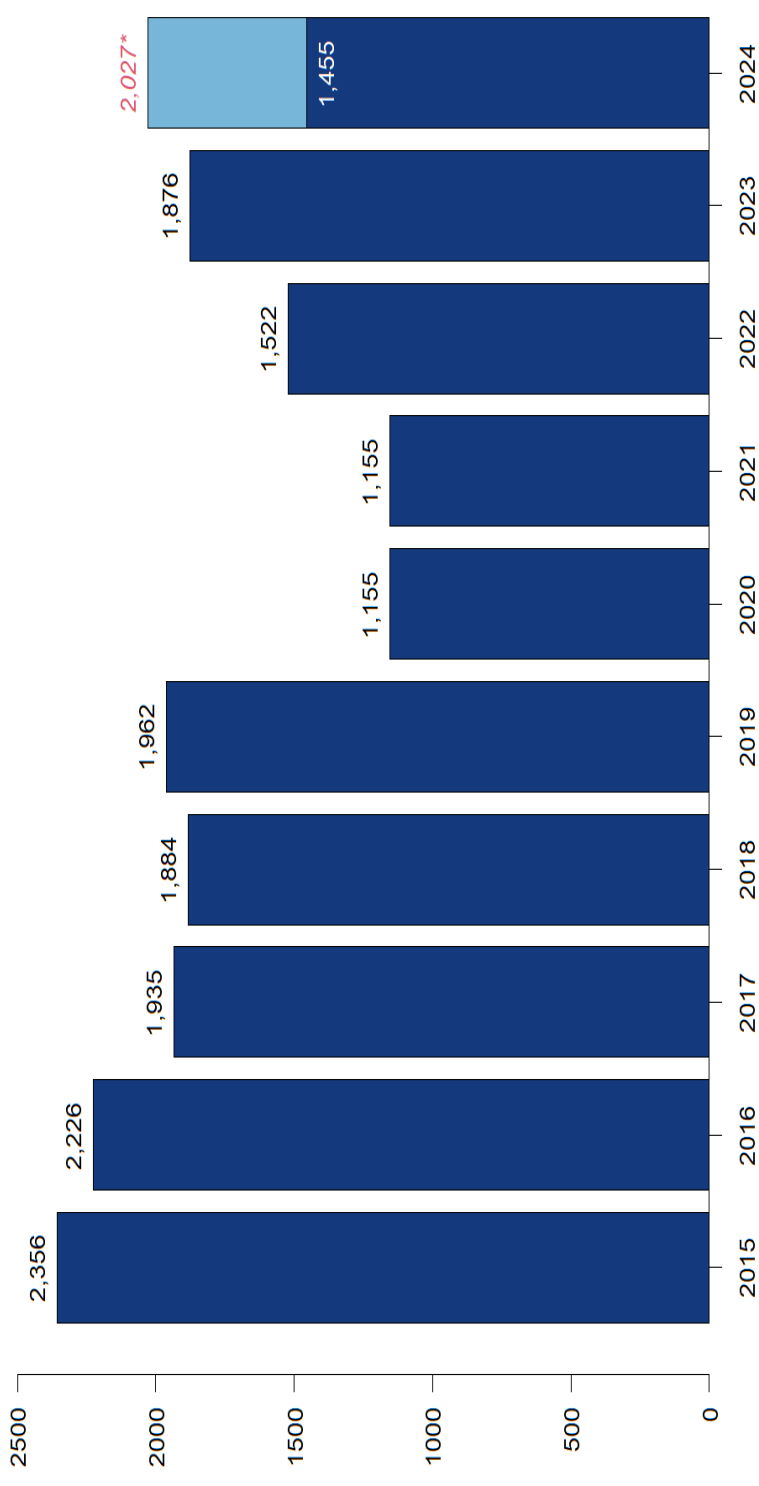


Sentencing Length

- The total number of individuals receiving sentences of 18 months or less will likely increase to PRE-COVID levels by the end of 2024.

Total Individuals with Sentences of 18 Months or Less by Calendar Year

Total Individuals with Sentences of 18 Months or Less By Calendar Year
(does not account for concurrent/consecutive/suspended sentences)



*Projected total through 2024

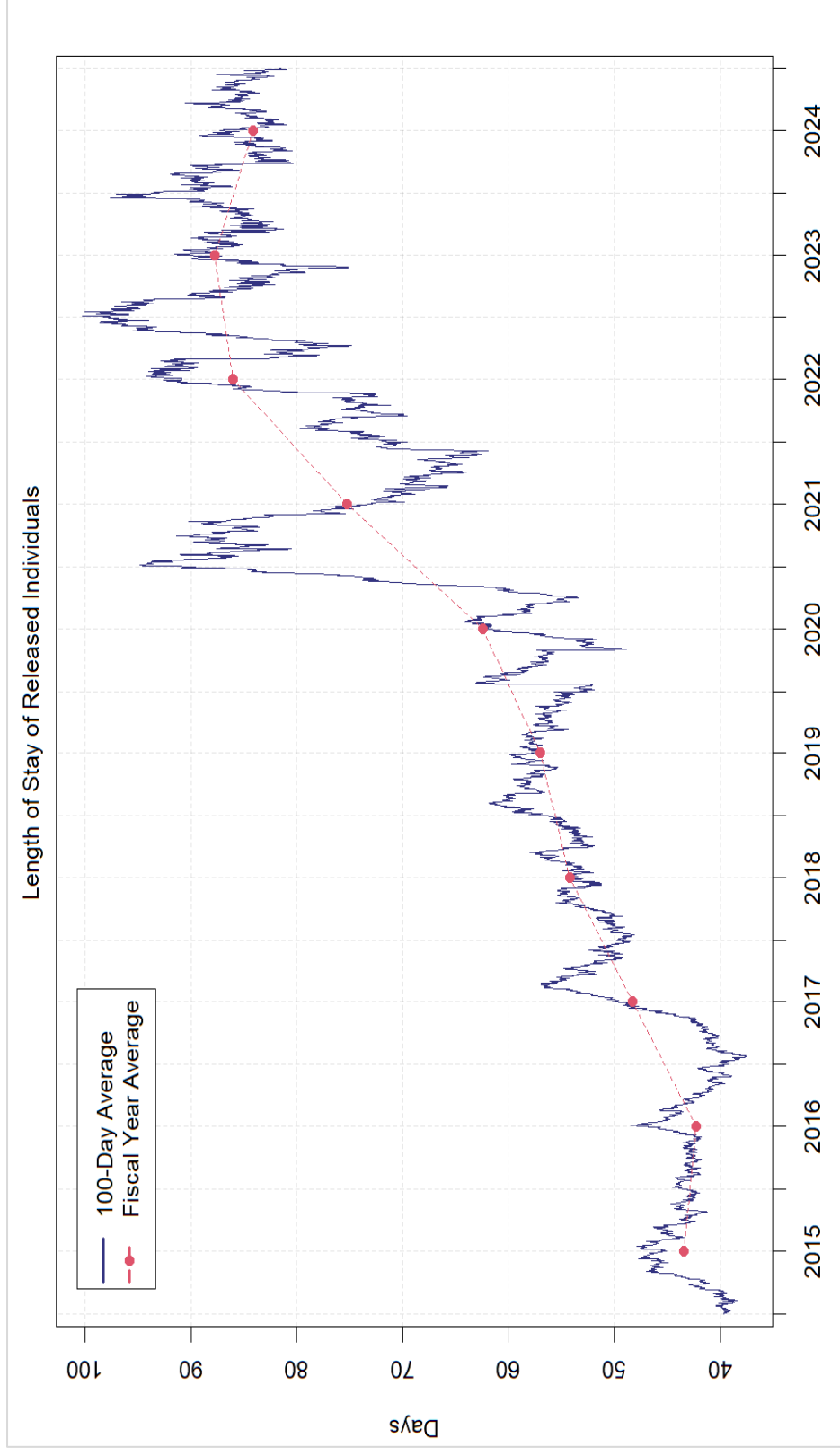
Length of Stay and Processing Time Overview

Average length of stay has increased significantly over the past 10 years. Incarcerated individuals released from custody in FY24 (July 1, 2023, to June 30, 2024) had an average length of stay of **84 days**.

Average length of stay for releases in FY20 (July 1, 2019, to June 30, 2020) was **62 days**.

Average length of stay for releases in FY15 (July 1, 2014, to June 30, 2015) was **43 days**.

Length of Stay of Released Individuals

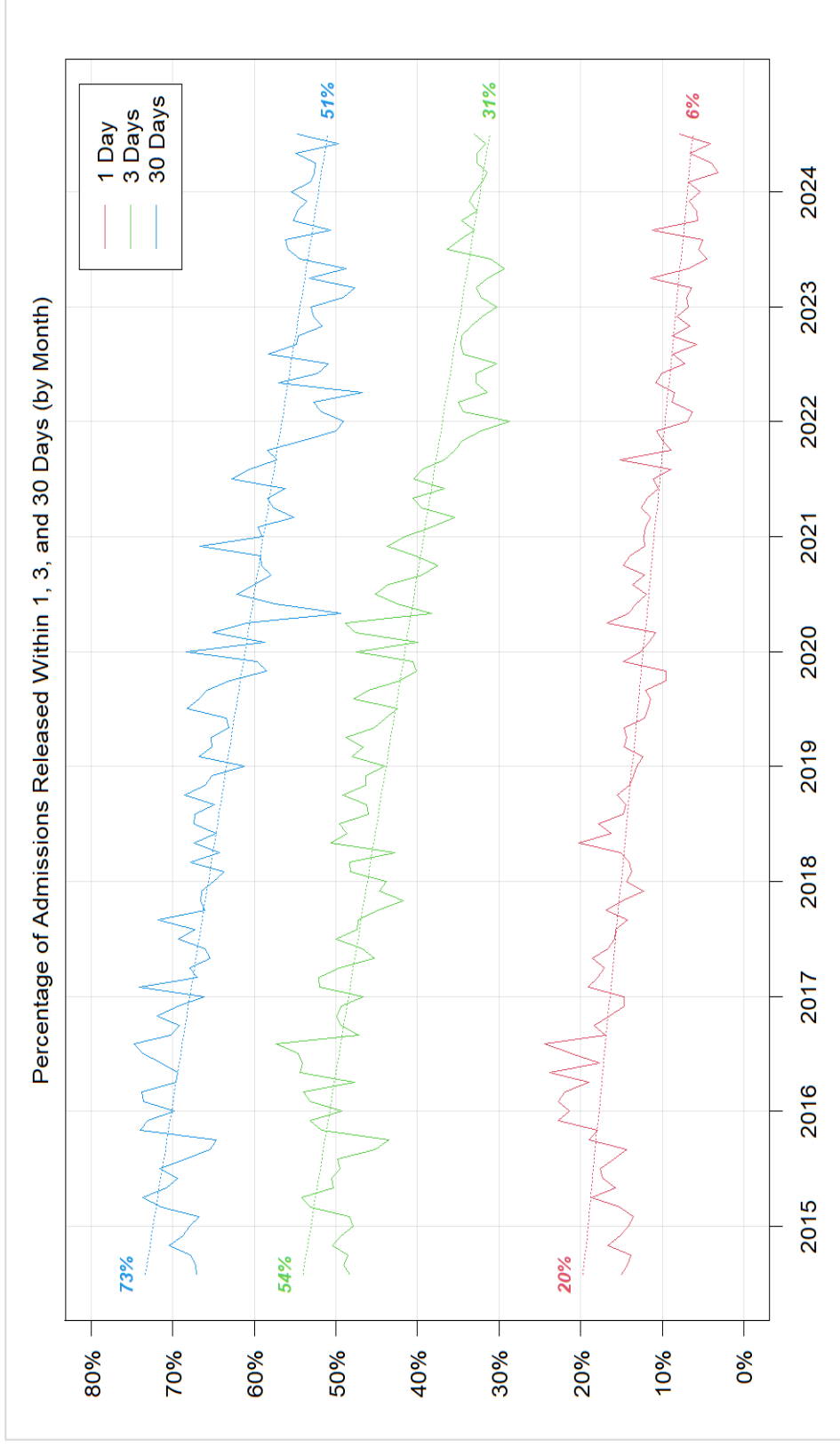


Length of Stay and Processing Time

Length of Stay and Processing Time

Those that are admitted and released pre-trial are in custody longer than in the past. For example, considering the trend over the past 10 years, the average percentage of admissions that are released within three days has decreased from **54%** to **31%**.

Percentage of Admissions Released Within 1, 3, and 30 Days (by Month)

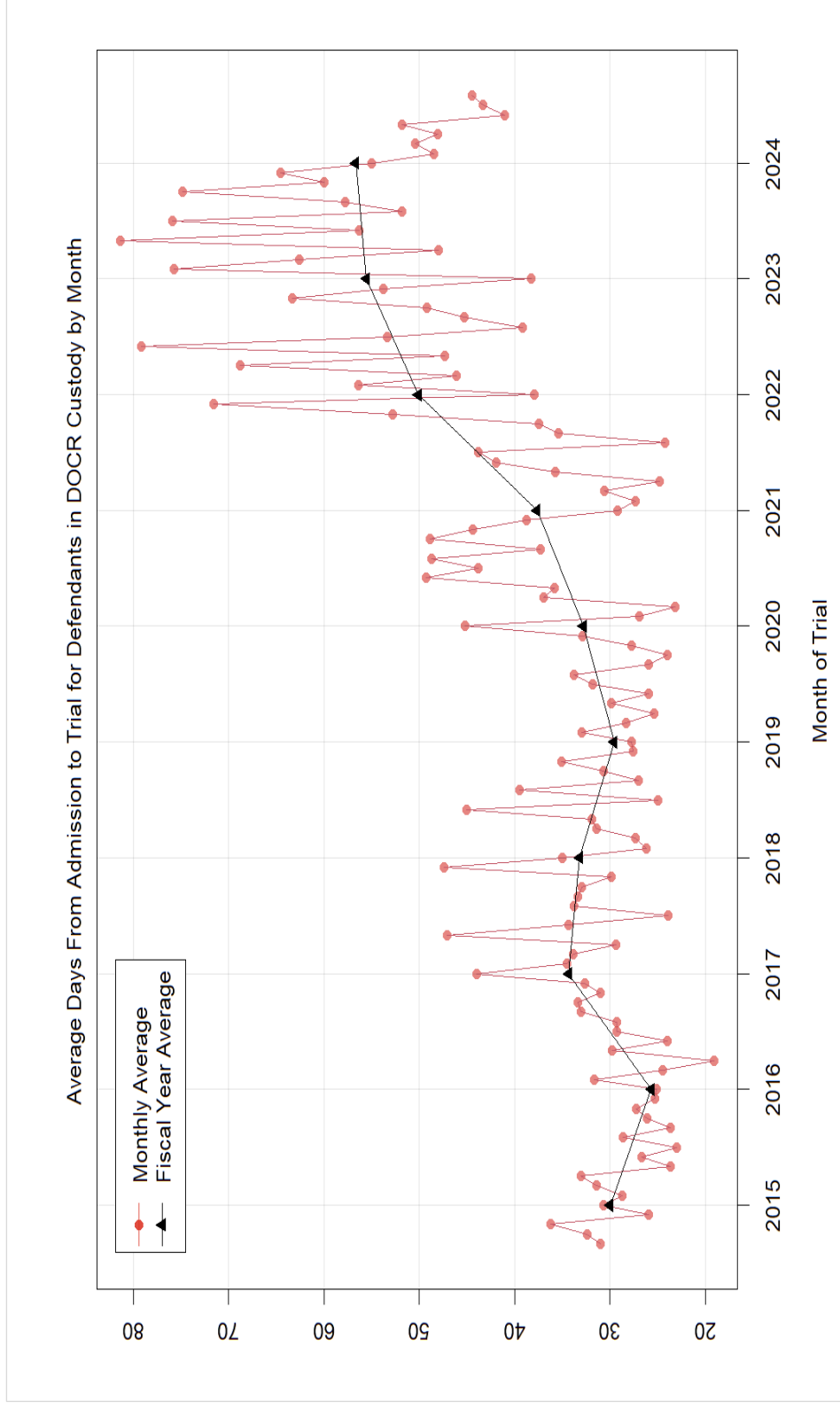


Length of Stay and Processing Time

Length of Stay and Processing Time

The time from admission to trial date for defendants who remain in DOCR custody has nearly doubled over the past 10 years. For trials in FY24, defendants have been in custody for an average of **57 days** compared to less than **30 days** in FY15 and FY16.

Average Days from Admission to Trial for Defendants in DOCR Custody by Month



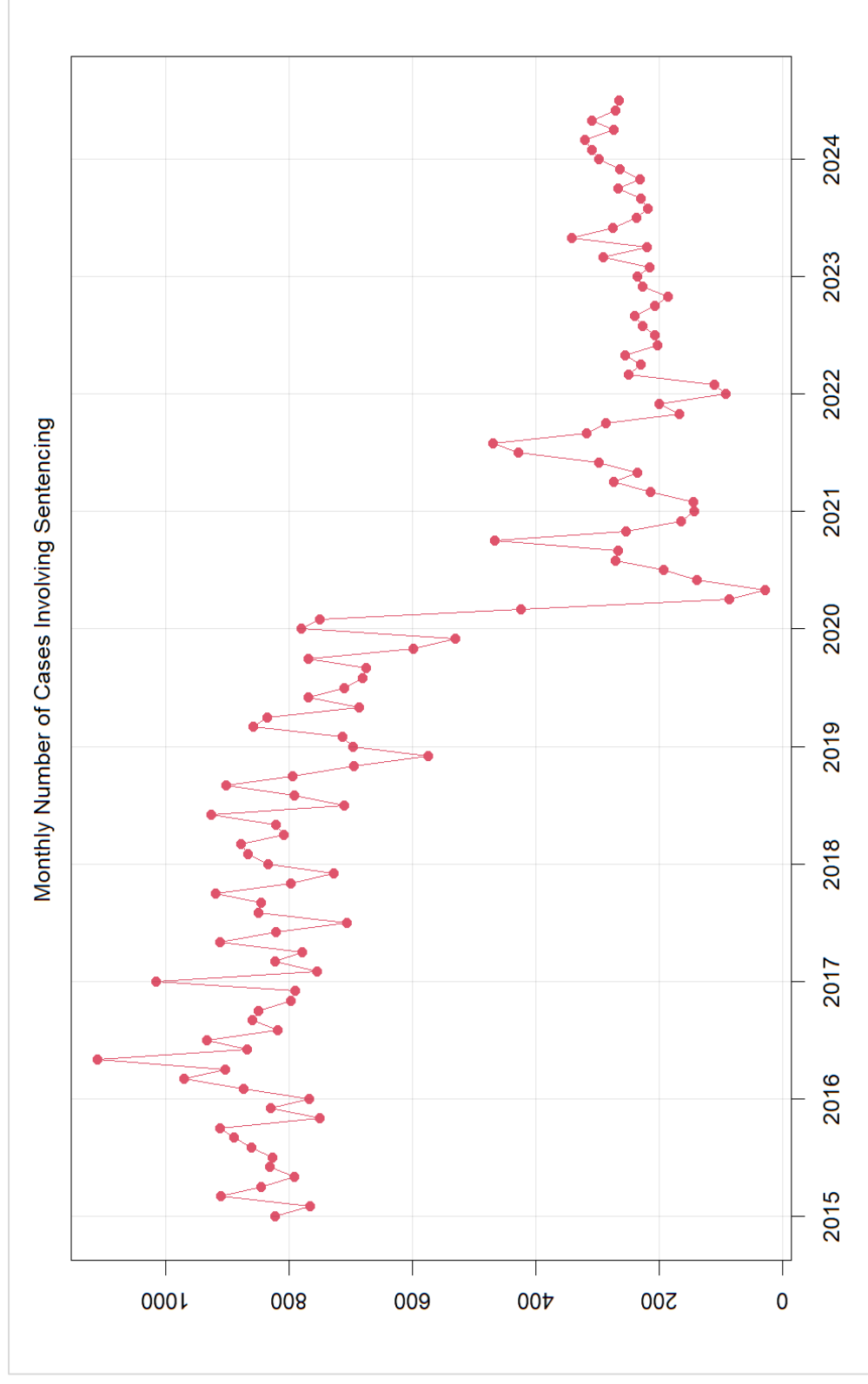
Length of Stay and Processing Time

Length of Stay and Processing Time

The average number of sentencing per month is significantly lower than 5 to 10 years ago. Although the number has increased since early 2020, the total number of cases sentenced for FY24 is projected to be about **40%** of the number completed in 2019.

Length of Stay and Processing Time

Monthly Number of Cases Involving Sentencing



Length of Stay and Processing Time

Length of Stay and Processing Time

The percentage of cases sentenced as new cases entered each month is substantially lower than pre-COVID. In 2023, the percentage was **19%** (or about 1 case sentenced for every five new ones being entered). Between 2015 and 2019, this ratio was about **31%** with double the number of cases.

Percentage of Cases Sentenced

Calendar Year	Total Cases ¹ Sentenced	Total Cases ¹ Entered	Percent of Sentenced to Entered
2015	10,008	32,410	30.9%
2016	10,517	33,170	31.7%
2017	9,933	32,685	30.4%
2018	9,580	31,325	30.6%
2019	8,509	28,699	29.6%
2020	3,811	14,883	25.6%
2021	3,157	11,915	26.5%
2022	2,385	14,608	16.3%
2023	2,950	15,562	19.0%
2024 (Projected)	3,393	14,266	23.8%

DIVISION OF
COMMUNITY CORRECTIONS
DAILY CASE LOAD ANALYSIS

Community Corrections Daily Caseload

- Total caseload for Community Corrections has decreased over **50%** in past 10 years (2014 through August compared to 2014), from 1,690 total clients to 809.
- IPSA average caseload has decreased to **zero** in 2024 from 338 clients in 2014.
- ACS average caseload has decreased over **60%** since 2014 (752 to 271 clients per day).
- While ACS and IPSA have seen steady declines over the past decade, PTSU caseload had been steadily increasing since 2014 and reached a peak in 2021. In the past three years it has declined to about the 2014 average.
- The distribution of clients has shifted dramatically since 2014. In 2024, two-thirds of all clients are in PTSU, with the remaining third in ACS (there were no IPSA clients).
In 2014, **20%** were IPSA, **36%** were PTSU, and **44%** were ACS.

Daily Caseload 2012-2024

Community Corrections

Alternative Community Service
(ACS)

Intervention Program for Substance
Abusers (IPSA)

Pre-Trial Supervision (PTSU)

Year	PTSU	ACS	IPSA	Total
2012	510	1,166	470	2,146
2013	492	935	416	1,843
2014	600	752	338	1,690
2015	673	759	125	1,557
2016	709	894	147	1,750
2017	724	641	155	1,520
2018	751	619	146	1,516
2019	701	594	116	1,411
2020	833	493	99	1,425
2021	912	279	67	1,258
2022	735	247	65	1,047
2023	557	178	10	745
2024	538	271	0	809

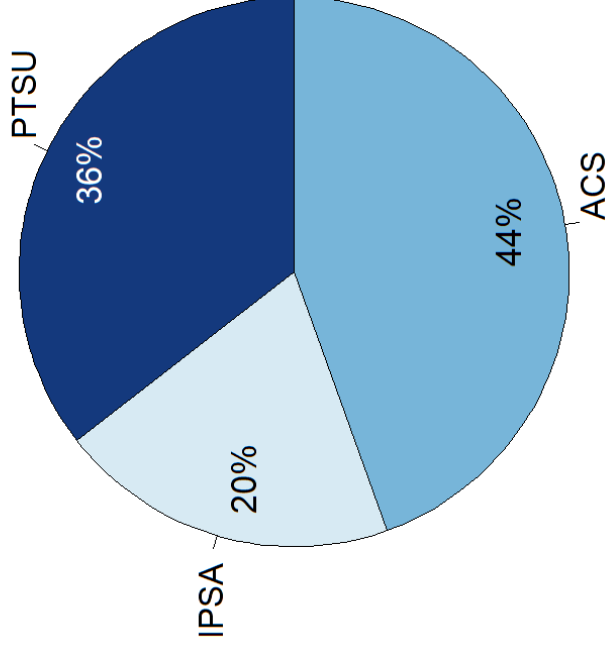
Daily Caseload 2012-2024

Community Corrections

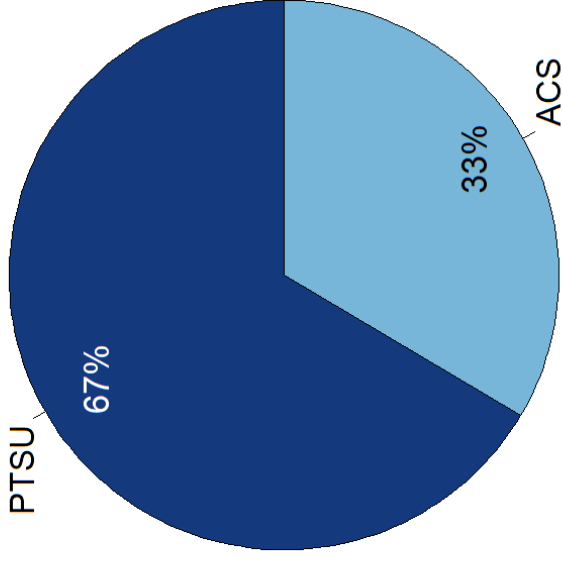
Community Corrections Daily Caseload

Distribution of Community Corrections Clients

2014



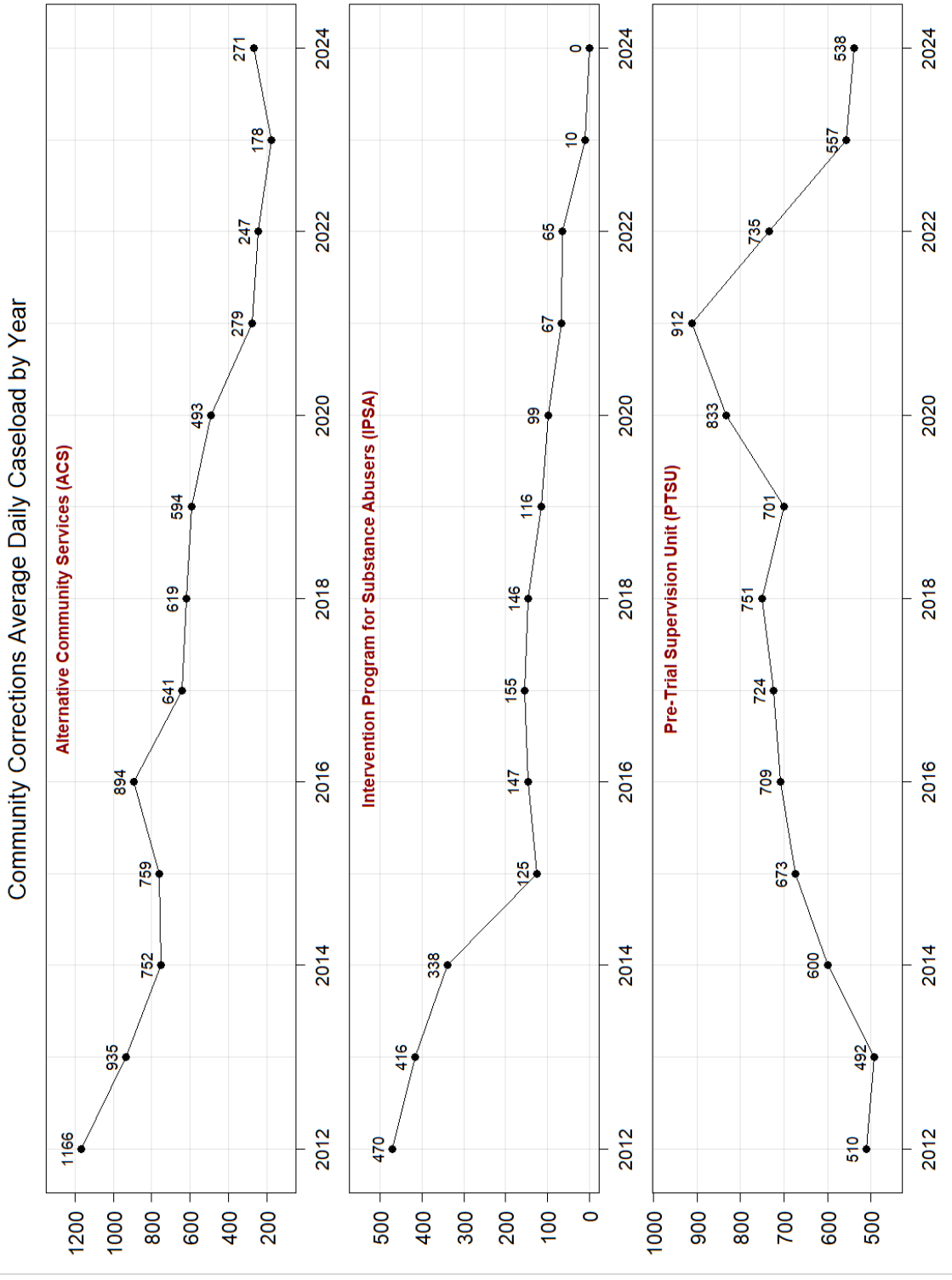
2024



Daily Caseload 2012-2024

Community Corrections

Community Corrections Daily Caseload



DETENTION SERVICES DIVISION POPULATION TREND ANALYSIS

Detention Services Population Trend Analysis

Detention Services Population Information

- The total current population in Detention Services (Montgomery County Detention Center (MCDC) and Montgomery County Correctional Facility (MCCF) as of June 30, 2024, is **937**. This is the largest end-of-year population in the past ten years (since June 30, 2015).
- MCDC monthly average population has increased **97%** in the past 10 years from June 2015 to June 2024. In the past three years, from June 2021 to June 2024, the monthly average population has increased **151%**.
- MCCF monthly average population has increased **58%** since June 2015 and **61%** between June 2021 and June 2024.

Analysis for the Month of June Average Daily Population 2015 – 2024

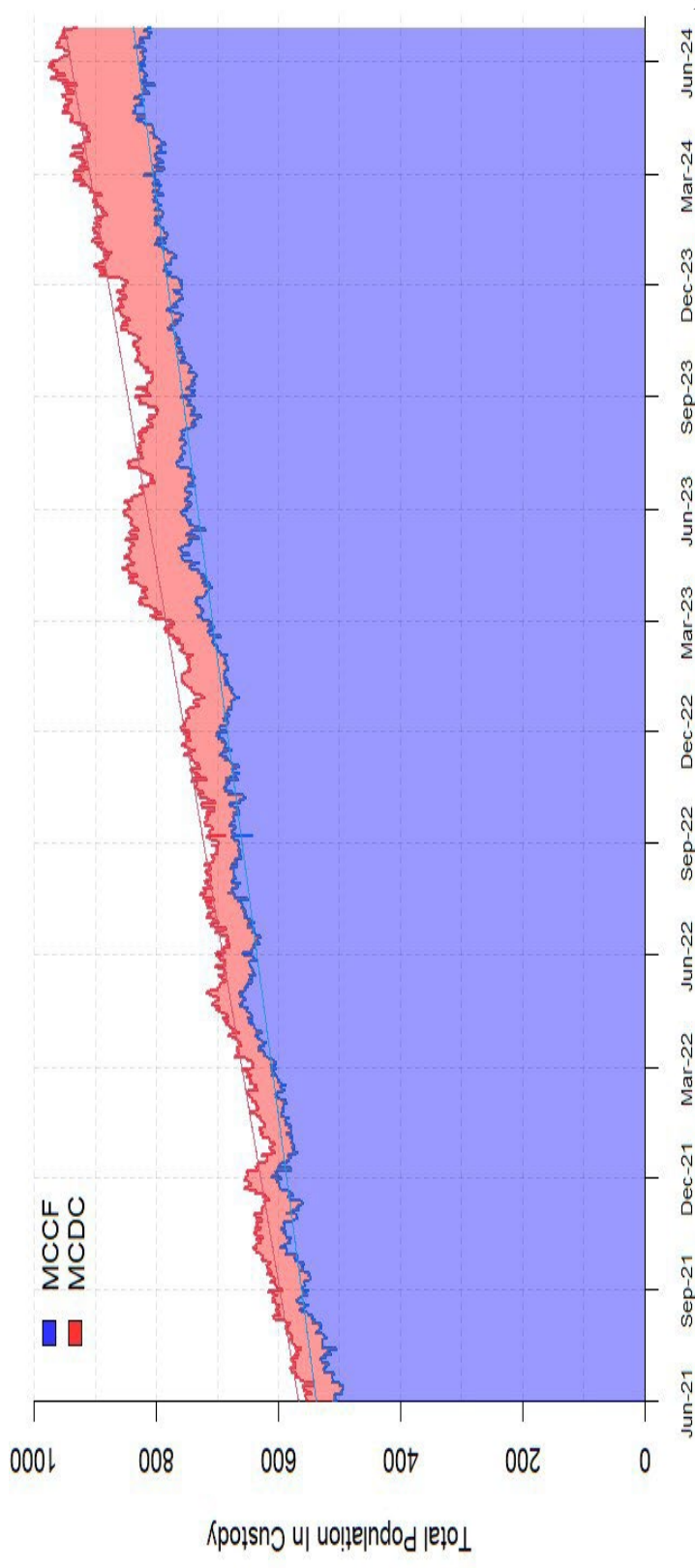
Detention Services Population Trend Analysis

FACILITY	June 2015	June 2016	June 2017	June 2018	June 2019	June 2020	June 2021	June 2022	June 2023	June 2024
MCCF	519	588	556	612	579	488	509	642	747	820
MCDC	67	71	61	52	63	63	53	51	81	133
TOTAL	586	659	617	664	642	550	562	693	827	953

Total Population in Custody June 1, 2021, to June 30, 2024

Detention Services Population Trend Analysis

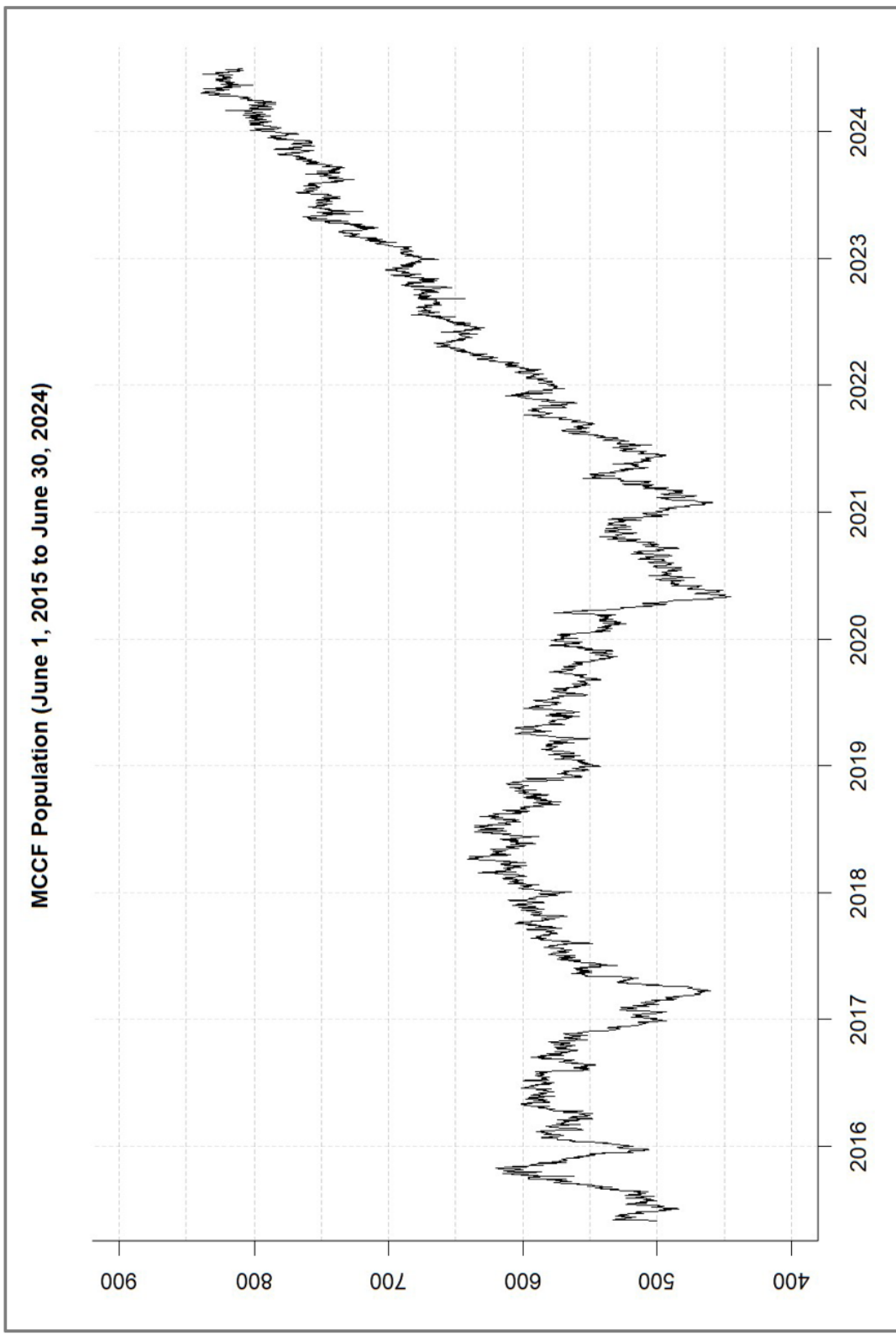
- Average total population in Detention Services (MCDC and MCCF) has increased significantly over the past three years coinciding with the increase in the number of bookings and admissions and increasing in length of stay custody.
- Over the past three years, the overall population has increased nearly **70%**. The average daily bookings have increased about **50%** between June 2021 and June 2024 while length of stay has increased over **15%**.
- There is a statistically significant association between population and the average number of bookings and admissions and average length of stay.
- MCDC monthly average population has increased 97% from June 2015 to June 2024. From June 2021 to June 2024, the population has increased 151%



Montgomery County Correctional Facility (MCCF)

Detention Services Population Trend Analysis

- MCCF monthly average population has increased **58%** since June 2015. From June 2021 to June 2024, the population has increased to **61%**.

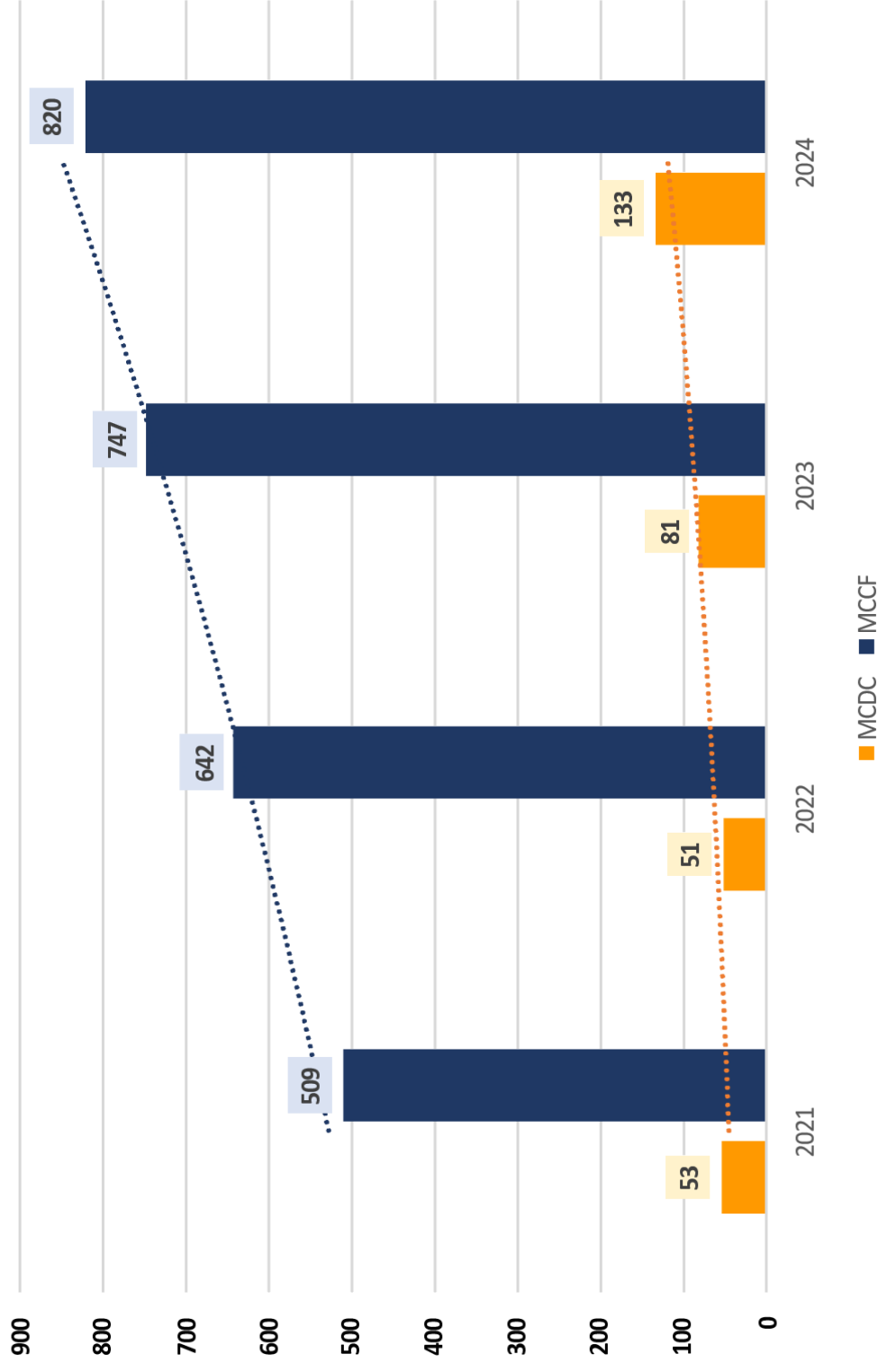


Average Daily Population

Montgomery County Detention Center (MCDC)
Montgomery County Correctional Facility (MCCF)

Detention Services Population Trend Analysis

AVERAGE DAILY POPULATION
JUNE 1, 2021 – JUNE 30, 2024



Overall Analysis

- Bookings have increased since 2020 but are still below pre-COVID amounts. However, the average severity of charges/cases appear to be increasing (i.e. higher proportion of felonies as primary charge and each case having more charges on average).
- Due to more severe charges or processing delays, offenders are being admitted at higher rates and are taking longer to be released once admitted (although overall admissions are still below pre-COVID levels). Average length of stay and average time between admission and trial has significantly increased.
- Charges receiving maximum sentences of 18 months is increasing in both percentage and overall numbers.
- Average total population in Detention Services (MCDC and MCCF) has increased significantly over the past three years coinciding with the increase in the number of bookings and admissions and increasing in length of stay custody.
- Over the past three years, the overall population has increased nearly **70%**. The average daily bookings have increased about **50%** between June 2021 and June 2024 while length of stay has increased over **15%**.
- Total caseload for Community Corrections has decreased over **50%** in past 10 years (2024 through August compared to 2014), from 1,690 total clients to 809.