WES MOORE
Governor

ARUNA MILLER
Lieutenant Governor

Maryland
GOVERNOR'S OFFICE OF CRIME PREVENTION AND POLICY

DOROTHY LENNIG
Executive Director

Justice Reinvestment Oversight Board

Monday, November 18, 2024
1:00 p.m. - 3:00 p.m.
Google Meet joining info
Video call link: https://meet.google.com/dcs-fomd-vwd
Or dial: (US) +1 470-285-0430 PIN: 677 443 172#

Board Attendance:

- Judge Philip Caroom, Board Chairman
- Bethany Young, GOCPP
- Angelina Guarino, Maryland Department of Public Safety and Correctional Services
- Commissioner Ernest Eley, Maryland Parole Commission
- Candace McLaren Lanham, Chief Deputy Attorney General
- Natasha Dartigue, Maryland Office of the Public Defender
    - Sarah Gourley, Maryland Office of the Public Defender
- Cristina-Jorge-Tunon, Maryland Department of Budget Management
- Mary Ann Thompson, Chair, Local Government Commission
- Chief Judge John Morrissey, District Court of Maryland
- Judge Brett R. Wilson, Administrative Judge of the Circuit Court for Washington County
- Erin Roth, Department of Labor, Licensing & Regulation
- Scott Shellenberger, Baltimore County State's Attorney
- Walt J. Pesterfield, Baltimore County Department of Corrections
- Ryan Ross, Director, Charles County Detention Center
- Gary McLhinney, Chief of Staff, Howard County Police
- Prendi Garcia, Maryland State Police
- Dr. Tonii Gedin, Anne Arundel County Department of Health
- Dr. Kisha Davis, Montgomery County Health Department
- Danielle Cox, Maryland Department of Public Safety and Correctional Services

Minutes

I. Welcome and Opening Remarks - Judge Philip Caroom, Justice Reinvestment Oversight Board Chair

A. Call to Order

B. Roll Call

C. Approval of the Minutes

II. **GOCPP Updates**

A. Local Government Commission Update - Warden Mary Ann Thompson

1. The LGC used their October meeting as a refocusing meeting. The commission reviewed their responsibilities and what they are mandated to do as stated in the JRA and in statute.
2. Looking ahead, the board is to gather data via two surveys.
    a) One survey will gather data and analyze in comparison to data in the *Justice Reinvestment Initiative, Budgetary Requirements on Local Detention Centers* (2016) report, in order to see how things have changed from 2016 to 2024.
    b) A second survey will be conducted to understand the board's priorities going forward, related to PIGF funding, alternatives to incarceration, in-patient treatment, etc.
3. LGC will also contribute to the JRA Oversight Board Report.
4. LGC will ideally complete both surveys by April.

B. Advisory Board Update - Bethany Young, Director of Legislation and Policy, GOCPP

1. Director Young discusses ongoing research regarding vital documentation for incarcerated individuals. The board recently heard from DPSCS about their progress in the provision of this vital documentation. The Advisory Board wants to further this research and look closely at the local level to see what is available to individuals with shorter terms of incarceration.
2. The board is also looking into ways to improve behavioral health warm hand-offs post-release, collateral consequences of incarceration including the availability of certain professional licenses, and more transparent information on pre-release programming.
    a) It is unclear if the Task Force on the Creation of a Division of Returning Citizens and Expanded Reentry Services is fully populated. Assistant Director Cahn will seek out an answer.
3. GOCPP is staffing the Commission on Prison Education Delivery and Reform, which may overlap with these topics.
4. Erin Roth has interest in the licensure topic. She expresses that many departments oversee this issue, and she is happy to facilitate connections and direct issues to the correct people.
5. Assistant Secretary Guarino raises for consideration that the JRA established a provision through the certificates of rehabilitation for individuals who have completed their supervision satisfactorily to have an avenue towards removing any statutory barriers to licensure for select occupations. However, only a handful of individuals are truly eligible and/or taking advantage of those currently, either due to constraints on eligibility or other barriers.
6. Chair Caroom would like to add this topic to the next meeting, as the

Act does not provide sufficient information about this process.

7. Guarino will send an information sheet on certificates of rehabilitation to refresh the group on current eligibility requirements.

C. PIGF Update - Brandi Cahn, Assistant Director of Justice Reinvestment, GOCPP

1. In FY25, we administered about $13.3 million to 50 different organizations under PIGF and JRA.
2. Due to the competitiveness of the funding, some awards were late to come out. In turn, agencies are slightly underspent for Q1.
3. We do expect the subrecipients to catch up by Q2.
4. Over the next few months, our team will be conducting site visits to ensure compliance for all grantees.
5. We have started planning and identifying priorities for FY26 with the Local Government Commission.
6. GOCPP will be releasing the PIGF NOFA by early February.

III. Department Reports

A. Department of Public Safety and Correctional Service, Assistant Secretary Angelina Guarino

1. **DOC Population Statistics as of 10/01/2024**
    a) **538** incarcerated individuals were assigned JRA approved assignments. Those 538 incarcerated individuals received 55,745 JRA diminution credits, or **103.62** days on average.
    b) **46,131** supervision clients received a total of **5,289,969** ECC's, earning **115** days on average.
    c) **931** individuals under supervision received **4,732** graduated sanctions, and **97** individuals under supervision received **295** JRA override sanctions.
2. Annual Cost Avoidance
    a) FY24 incarcerated individual variable rate was $3,901.85 per individual on an annual basis, or $10.69 per person per day.
    b) JRA cost avoidance total is $1,041,559.
3. Annual admissions have been changing from year to year.
    a) FY 2024 shows a post-Covid return to normal on intakes, but we are still seeing fewer intakes than prior to the pandemic and prior to JRA implementation.
    b) This pattern could have a significant long-term impact on the MD prison population over time.
    c) Historically the 10-year decrease we have seen in the sentenced population has predominantly been achieved by an excess in releases, but we are seeing since Covid that releases are stagnated (due to increase in average sentence length and composition of the population).

(1) What sentences are *for* will now determine long-term trends in population.

4. DPSCS is not trending toward net gain in populations.
5. In this FY, we have seen probably the sharpest increase in the sentenced monthly ADP. DPSCS is monitoring this trend and will know more of the long-term impact by the end of this year.
6. Sentence lengths are approaching 3 years on average.
7. Significant changes in recidivism data capturing technology. With this and historical context of the pandemic in mind, we still see a steady decrease in recidivism since JRA implementation.
8. From people released in 2021, 9/10 individuals did not commit a new offense warranting state incarceration.
9. Regardless of other factors, the most significant and consistent trend is age at release. The state's recidivism rate is predominantly being driven by that of the emerging adult population (age 18 to 26).
10. The older the age at release, the lower the recidivism rate. Individuals 65+ at release are longitudinally the safest to release from prison.
11. While MD's sentenced population has decreased, its community supervision population has increased, largely driven by increases in individuals sentenced to the Drinking Driver Monitoring Program.
12. We have seen a sharp increase post-Covid in the restitution ordered and a resulting increase in the restitution payee records processed. More cases on community supervision with restitution. Disbursements have increased as well since the Covid period.
    a) Challenges to restitution include a lack of indications on commitment orders, limited earning opportunities for incarcerated obligators, incorrect payment information, and limited earning potential for justice-involved individuals due to stigma.
    b) Director Young confirms that the Restitution Work Group has been reconvened, and Chair Caroom suggests having them present to the Oversight Board.
    c) Chief Judge Morrissey worked with DPSCS on this issue and reviewed the requirements to follow regarding transmitting restitution information from courts to DPSCS.
    d) Chair Caroom suggests Guarino shares with the work group where the gaps are in this transfer of information.
    e) Cahn notes that approximately $11.3 million would be considered reinvestment funding for this next fiscal year.

B. Maryland Department of Health

1. N/A

C. Local Detention Centers, Director Ryan Ross

1. N/A

D. Administrative Office of the Courts, Chief Judge Morrissey

1. Presents chart on technical violations in Quarter 1 (7/1 - 9/30).
2. 189 total sentences for technical violations.
3. 41 revocation sentences imposed that were greater than the presumptive revocation cap. This is a consistent finding.
4. The leading reason for exceeding the cap is being arrested and held on a new charge. Some judges want to see what happens with the new charge before making a decision on a VOP depending on favorability of outcome. A lot of times, it is credit for time served.
5. Judge Morrissey is also working to reimagine systems for people deemed incompetent, building judiciary infrastructure, looking to work with GOCPP on SIM mapping, and planning a summit in May.

IV. Restoring Promise Program

A. Clinique Chapman, Vera Institute

1. The Vera Institute of Justice's mission is to end the overcriminalization and mass incarceration of people of color, immigrants, and people experiencing poverty.
2. Restoring Promise is their national initiative that seeks to transform prison cultures, climates, and spaces, specifically working on housing units for the emerging adult population.
    a) Human dignity is a fundamental commitment in their work.
    b) For example, they focus on using restorative justice practices to handle conflict through a holistic and healing lens.
3. Mentors are seen as positive adult resources along with the staff. Staff and mentors are trained in how to approach conflict in the unit.
4. This creation of healing circles leads to a shift in culture, as they are removing the lens of punishment and replacing it with a lens of accountability.
5. They also shift what the incarceration setting looks like, developing housing units that are welcoming and promote ownership and community.
6. Utilizes dynamic security methods, a relational way of interacting and engaging. This humanizes incarcerated folks, treating them like community members, removing barriers to normality.
7. Research shows:
    a) The culture change reduces violence.
    b) Staff feel a renewed sense of purpose.
    c) Staff feel safer working in the units.
8. Anecdotally, this shift has hiring implications, people want to work in spaces like this. Official data has not addressed this specifically yet.
    a) For now, this initiative is based on transforming housing units, not entire facilities.

9. Utilizes 7 Dignity Principles to ensure humane treatment. These standards can be used as a guide for other facilities.
10. Restoring Promise's new program, Designed for Dignity (D4D), takes what we know is effective in the housing unit work and applies it to everyone across an entire agency.
    a) 3 undisclosed states are piloting this system-wide approach. This is a 3-4-year project, creating change through 3 avenues: policies, training, and resources.
    b) The program has 4 focus areas rooted in research findings that will be used to collect data and help states align their training.
    c) Assists states with analyzing budgets for sustainability.
11. Technical assistance, research, and data collection is free of charge to states, as Vera's work on this initiative is funded through grants and other funding sets.
12. Director Walt Pesterfield asks if this has been implemented in any jails/detention centers/pretrial facilities or if it is exclusive to prisons.
    a) The one jail Vera has worked with is Middlesex County Jail in Massachusetts. The impact on staff and those incarcerated were the same here as in prisons.
    b) They also worked in a South Carolina facility that houses a lot of young adults, so the duration of stay and transient setting is similar to a local jail. There is less time to build rapport, but the same environment is created within the unit.
13. Chair Caroom notes that the YME unit in DC does similar work in a jail setting and could provide some data as well. Judge Morrissey notes that these concepts are similar to what is currently being done with veterans in the city.
14. This scaled impact in D4D is for everyone, not just emerging adults.
    a) 2 of the 3 states piloting D4D are brand new and do not have an emerging adults housing unit through Restoring Promise. 1 does have a proof point, which will benefit research.
15. Olinda Moyd clarifies that the YME unit in the DC jail still focused on men who had served longer sentences and were easing back into their communities.
    a) Chapman states that when she was working at YME, those serving longer terms were utilized as the program mentors.
16. Chair Caroom asks if reentry is a component of the eligibility process of Restoring Promise, granting priority to those nearing the end of their sentence.
17. Chapman reiterates that Restoring Promise is about shifting culture and the environment, not creating a program. Each state can utilize this program/target specific individuals how they want. Restoring Promise focuses on the health, safety, and well-being, which in turn

allows for successful programming inside the facilities.

18. Guarino asks about the eligibility requirements to be placed on the tier, and if they work with any states that have validated risk screening instruments used to determine risk.
    a) Chapman says Vera works with states to create criteria not based on traditional ways/other programs' screenings. They often see that the typical screenings lead to inequities.
19. Guarino asks how the states involved have handled sexual safety concerns and PREA compliance within these units.
    a) Chapman says there have been outliers where, based on certain histories, an individual is not allowed to be a mentor. These conversations/decisions occur on a case-by-case basis. PREA conditions continue to apply, and we want those younger individuals already affected by trauma to feel protected and cared for in that way.
    b) Vera has template policies for the housing units that other states can utilize.

V. Emerging Adults Program

A. Deputy State's Attorney Jason Abbott

1. Prince George's County Emerging Adults Program was created in 2020 by State's Attorney Braveboy.
2. She wanted to address these individuals who are not juveniles by law but are still very young and committing juvenile mistakes.
3. The program targets men and women, ages 18 to 26.
4. Looked at local jail populations for individuals awaiting trials in circuit court, and about 40% were of the emerging adult population.
5. Many were being held for more serious/violent offenses.
6. Individuals in this age group did have less serious offenses, and their goal was simply to complete probation but not with any tools/skills that could minimize likelihood of reoffending.
7. In turn, the State's Attorney desired to work with individuals in this age group that planned to return to Prince George's County and assist with their reentry.
8. There are various eligibility requirements regarding age, criminal history, area of residence, etc.
9. The program holds offenders accountable, provides necessary services and referrals to best suited programming, and includes proper notification to victims when applicable.
10. The State's Attorney's Office has partnered with several entities to form components within the program. There are various tracks individuals can follow depending on their convictions and needs.
    a) Circuit Court Back on Track

(1) For first-time felony drug offenses. Braveboy later expanded to include handgun possession offenses.
(2) Goes through a rigorous program that involves decision making, education, community service, etc.
(3) Successful completion of the program can result in record expungement.
(4) Voluntary participation, done while an individual is in the community through weekly Zoom calls.

b) Listening is Key/EverFourward
(1) Curriculum utilized for 6 months to identify key points in life that individuals must follow to be successful upon release from incarceration.
(2) Focus on decision making, peer associations, and plan navigating life post-release.
(3) Once a month, a guest speaker from a different career path discusses opportunities available.
(4) After successful completion, individuals are connected with career planning through EverFourward.

c) Community Public Awareness Council (CPAC)
(1) Engaging with individuals while incarcerated to assist them with their transition back into the community.
(2) Provides a safe space to share what they are going through and challenges they expect to face.
(3) A 9-month program and successful completion can result in the defendant receiving a PBJ.

11. Individuals can also be referred to the Emerging Adult Program from Back on Track through the EverFourward portion.
12. The majority of individuals participating in the Emerging Adult Program are involved through the reentry aspect, few through CPAC.
13. Now on 4th cohort and are in process of collecting recidivism data.

VI. Open Discussion

A. Board Recommendations

1. N/A

B. Legislative Priorities

1. N/A

VII. Next Steps - Judge Caroom and Brandi Cahn

A. February Meeting

1. Wednesday, February 12th, 2025 from 1:00 PM to 3:00 PM

VIII. Good of the Order and Adjournment - Judge Caroom