

# THE BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL

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## MINUTES FROM THE OCTOBER 14, 2009 MEETING

**In Attendance\*:** Chairman Judge John Philip Miller; Kimberly Barranco, CJCC Executive Director; Frederick Bealefeld III, Commissioner, Baltimore City Police Department; Kevin Cleary for City Council President Stephanie Rawlings-Blake; Frank Conaway, Circuit Court Clerk; Joe Clocker for Bruce Brown, Division of Parole and Probation; Donald DeVore, Secretary, Department of Juvenile Services; Mayor Sheila Dixon; Lonnie Ferguson, Administrative Clerk for District 1; Marcella Holland, Circuit Court Administrative Judge; Michael Kaminkow, Bar Association; Kristen Mahoney, Governor's Office; Keith Mathews, District Court Administrative Judge; Gary Maynard, Secretary, Department of Public Safety and Correctional Services; Grace Reusing, Acting District Public Defender for Baltimore City; Rod Rosenstein, US Attorney's Office; Randall Watson, Acting Commissioner of the Division of Pretrial Detention and Services.

Nana Benneh, District Court; Genelle Burgan, District Court; Marty Burns, SAO; Douglas Colbert, UMD School of Law; Page Croyder; Anna Ditkoff, *City Paper*; Monique Dixon, OSI – Baltimore; Julie Drake, SAO; Elizabeth Embry, City Law Department; Robert Embry, Abell Foundation; Justin Fenton, *Baltimore Sun*; Sheryl Goldstein, Mayor's Office on Criminal Justice; Megan Harmon, District Court; Antonio Hayes, Mayor's Office; Thomasina Hiers, DPSCS; Charles Innes; Denise Jett, Lexington National; Dorothy Lennig, House of Ruth Maryland; Kwame Manley, US Attorney's Office; Colleen Moore, Mercy Hospital; George Nilson, City Law Department; Rafael Ortiz, Circuit Court; Amanda Owens, Abell Foundation; Dave Pantzer, UMD School of Law; Angela Sobol, CJCC; Joe Sviatko, SAO; Arianne Wang, House of Ruth Maryland; and Bob Weisengoff, Pretrial Services.

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## MEETING DIALOGUE

The Meeting was called to order at approximately 12:30 p.m. and Judge John Philip Miller welcomed the Council.

Judge Miller requested a motion to approve the September 9, 2009 minutes. The minutes of September 9, 2009 were adopted unanimously.

### **I. CHAIRMAN'S REPORT – JUDGE JOHN PHILIP MILLER**

Judge Miller called on Secretary Gary Maynard, who discussed the efforts of DPSCS in trying to get inmates working and involved in community service. He stated that it is the obligation of DPSCS to involve inmates in programs which might give them skills training, which will hopefully lead to job placement upon release. Secretary Maynard referred to an article in *The Baltimore Sun* regarding the closing of the Rosemont PAL Center. He stated that he would like to establish a relationship with the City to assist in renovating the facility. He advised that inmate labor crews could do some of the renovation work which would allow them to develop job skills. Secretary Maynard stated that he would work with the Department of Labor, Licensing, and Regulation to establish apprenticeships for the inmates. He further advised that he has retired correctional staff that might be interested in

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volunteering to staff the center. He said he would like to keep the facility open and give children in the neighborhood a place to go, which in the long run may keep them out of correctional facilities.

Judge Miller advised members that the next Council meeting is scheduled for November 18, which is a week later than normal due to the Veteran's Day holiday falling on the standing meeting date. The Attorney General's Office Gang Unit will present at the November meeting. The final meeting of 2009 is scheduled for December 9. He advised that due to the start of the legislative session in January, the first meeting in 2010 would be February 10.

## **II. EXECUTIVE DIRECTOR'S REPORT – KIMBERLY SMALKIN BARRANCO**

Mrs. Barranco reported that all of the CJCC subcommittees continue to meet regularly, and many meet monthly in an effort to keep members current and to discuss issues of importance to the Council members. She reported on the progress of the Fugitive Safe Surrender initiative. Mrs. Barranco advised that since the Council approved a study to determine the feasibility of conducting Fugitive Safe Surrender in Baltimore City, the Steering Committee, comprised of representatives from 18 different state and local agencies who all have a role to play in a successful Safe Surrender initiative, has met numerous times, and all agencies have indicated a willingness to participate in a Fugitive Safe Surrender program. She extended her gratitude to all of the Steering Committee members as well as the Council members for their support of this process. She advised that a number of issues have been raised during the Steering Committee's discussions which required study and thought, and potential problems and questions have been analyzed and dealt with proactively. She reported that the Steering Committee has had the benefit of working closely with the National Fugitive Safe Surrender Coordinator from the US Marshal's Service to assist in avoiding mistakes which other cities encountered during the execution of their Safe Surrender programs.

Mrs. Barranco reported that the Steering Committee will continue to meet regularly as they work out the details of each agency's participation, which will ultimately be memorialized in a Memorandum of Understanding to be signed by agency heads. She advised that they have also formed smaller workgroups which are working on issues such as logistics and security, legal and judicial proceedings, technology, records, and volunteers. A site selection workgroup has been formed to begin to look for an appropriate site, and they are awaiting word on whether grant funding will be awarded. She advised that she will keep the Council informed as to the Steering Committee's progress at the next CJCC meeting in November.

Commissioner Bealefeld asked when Fugitive Safe Surrender would occur. Mrs. Barranco replied that the timeframe is contingent upon funding and that the grant application was due October 15, 2009. Sheryl Goldstein commented that if the grant is approved, the funds will most likely need to be expended within one year.

## **III. PRETRIAL DETENTION AND SERVICES REPORT – RANDALL L. WATSON, ACTING COMMISSIONER**

Commissioner Watson directed members to the Population Briefing handout provided in the meeting packets. He reported that overall the population has remained stable. He stated that

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they did need to use the overflow room for a few days, but that gymnasium housing was not needed.

#### **IV. BALTIMORE POLICE DEPARTMENT REPORT – FREDERICK H. BEALEFELD, III, COMMISSIONER**

Commissioner Bealefeld reported that violent crime is down 8%, and serious offenses (Part I crime) are down 6%. The Commissioner feels that the department's efforts to focus on robberies have been successful as they have decreased 12%. He is encouraged that over the last two years the statistics are positive.

The Commissioner responded to an inquiry regarding a personnel matter within the department, and indicated that an individual had been suspended for insubordination.

#### **V. STATE'S ATTORNEY'S OFFICE REPORT – MARGARET BURNS**

Ms. Burns advised that the State's Attorney's Office Report would be deferred until the November meeting when Mrs. Jessamy would be in attendance.

#### **VI. DIVISION OF PAROLE AND PROBATION REPORT – JOSEPH CLOCKER, ACTING DEPUTY REGIONAL ADMINISTRATOR**

Mr. Clocker referred to the Division of Parole and Probation handout included in the meeting packet. He advised that the agency supervises approximately 17,000 offenders at seven field offices in Baltimore City, with 230 agents assigned to those offices. He reported on the following DPP initiatives:

##### **Violence Prevention Initiative**

The Violence Prevention Initiative (VPI) is in its second year. Mr. Clocker reported that VPI supervises approximately 1100 offenders who have been identified as having the potential for violent recidivism. He indicated that these offenders are diverted to a containment-based, intensive supervision strategy structured to minimize the threat they might otherwise represent to the community. This strategy involves strict enforcement of conditions of supervision and immediate and decisive action in response to any non-compliance.

##### **Watch Center**

There is a dedicated intelligence unit with a full-time DPP employee assigned to the Baltimore Police Department's Watch Center. The unit is provided with a major crimes report of serious offenses reported during the preceding 24-hour period. They determine which of those perpetrators, suspects or victims involved in those incidents are under supervision and then notify the appropriate agents and supervisors.

##### **War Room**

The War Room is a collaborative effort between the State's Attorney's Office, the Division of Parole and Probation, the Division of Pretrial and Detention Services and the Baltimore Police Department to identify violent, repeat offenders. Mr. Clocker reported that this week they will begin to identify VPI offenders at arrest.

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## **Sexual Offender Containment Team**

The Sex Offender Unit utilizes a containment team model to provide interventions and sanctions for individuals under current supervision for a sexual offense and individuals required to register as a sexual offender as the result of a prior offense. The containment team includes community corrections, law enforcement, treatment programs and prosecutors.

## **Drug Court/Felony Diversion Initiative**

The Drug Treatment Court provides District and Circuit court judges with a sentencing option for non-violent, substance abusing offenders with a history of drug-related offenses.

## **Collaborative Supervision and Focused Enforcement-Violence Prevention Initiative (CSAFE-VPI)**

This program identifies areas of crime and targets specific types of violent offenders. The program provides focused and coordinated law enforcement, offender supervision and crime prevention and reduction efforts.

## **Technology/Information Systems**

DPP currently uses the following applications to aid in the supervision of offenders: E-Reports; GangNet; Dashboard; and Electronic Mapping.

## **Electronic Monitoring/GPS**

Approximately 200 parole/mandatory supervision cases under supervision are monitored by GPS. DPP is currently in the third month of using GPS to monitor sex offenders.

## **KIOSK**

DPP will be expanding KIOSK reporting to numerous field offices throughout the Baltimore metropolitan area in November for supervision of low-risk offenders and supplemental reporting for high-risk offenders. The KIOSK reporting system uses biometric recognition (hand scan) to identify offenders and allows the supervising agent to confront the offender on supervision issues (arrests, treatment program non-compliance) and can instruct offenders to report for random urinalysis.

## **VII. PRESENTATION ON THE DOMESTIC VIOLENCE FATALITY REVIEW TEAM**

### **RECOMMENDATIONS – DOROTHY LENNIG, CHAIR, JULIE DRAKE, VICE-CHAIR & COLLEEN MOORE**

Dorothy Lennig, Julie Drake, and Colleen Moore gave a presentation on the 2009 Domestic Violence Fatality Review Team (DVFRT) recommendations. A sub-committee of the Domestic Violence Coordinating Committee of the CJCC, the DVFRT is comprised of representatives from numerous state and city agencies and health care and service providers. Its mission is to reduce domestic violence-related fatalities and near fatalities through a systemic multi-disciplinary review of domestic violence fatalities and near fatalities in Baltimore City.

Ms. Lennig, Ms. Moore and Ms. Drake presented the DVFRT's recommendations for 2009, which include: (1) Create an Enhanced Response Protocol for Identifying and Responding to

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Victims in Highly Lethal Relationships; (2) Increase Awareness of Human Bites as a Form of Domestic Violence; and (3) Create a Systematic Tracking Mechanism for Domestic Violence Violations of Probation within the Division of Parole and Probation. The recommendations were formed as a result of studying issues which arose from fatalities the Team reviewed in 2009.

Ms. Lennig suggested that the enhanced response protocol for identifying and responding to victims in highly lethal relationships should include a high danger safety plan which may or may not include a protective order. She also stated that the protocol for victims in highly lethal relationships should strongly encourage the victim to move into a domestic violence shelter rather than staying with friends or relatives. Ms. Lennig also suggested the creation of a protocol which would allow for placing victims in domestic violence shelters in another jurisdiction and the development of a Memorandum of Understanding between facilities to allow for “swapping” of clients most at risk.

Ms. Moore reported that the DVFRT recommended human bites be included as a form of domestic violence on medical screens, and that medical providers should be educated regarding the evaluation and documentation of bite wounds. The Team further recommended that the petition for a protective order should be revised to include biting as an example of domestic violence.

Ms. Lennig stated that members of the DVFRT met with Secretary Maynard as well as representatives from the Division of Parole and Probation regarding the third recommendation to create a systematic tracking mechanism for domestic violence violations of probation, and that they are assisting in the implementation of this recommendation. DPP will collect data through their Offender Case Management System which is currently in development.

The presentation also included updates on recommendations from 2007 and 2008. Ms. Drake thanked Commissioner Bealefeld, Judge Holland and Mrs. Jessamy for their help in implementing the Family Crimes Unit, which was developed as part of a DVFRT recommendation to the CJCC in 2007. Ms. Drake reported that as of October 1, 2009, 67 “first responder” cases had been investigated and charged by FCU. Thirty-six of those cases are still pending but 31 cases have been resolved with sentences totaling in excess of 72 years incarceration and 99 years and 9 months of suspended time. She also reported that in 2008 there were 14 dv homicides and year-to-date there were only four.

All of the recommendations provide for improvements in the way law enforcement, school personnel, public health, social services, the judiciary and the medical community address and deal with domestic violence. By identifying these problems, the Team hopes to increase awareness and improve the way in which domestic violence cases are handled.

In response to a question from Mr. Conaway regarding what is being done to assist male victims, Ms. Lennig advised that the House of Ruth Maryland uses a hotel to shelter male victims of domestic violence. She reported that according to legal clinic statistics, 92% of

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their clients are female and 8% are male; however, they serve both equally. Mr. Conaway commented that if a woman murders a man, it is taken into consideration that she may have been the victim of domestic violence. He asked if that is ever taken into consideration when a man murders a woman. Ms. Drake reported that a history of abuse is taken into consideration for everyone and male victims are provided with the same services as female victims. Ms. Moore advised that in Baltimore City there is a resource called MAAR Inc. comprised of men who counsel male victims of domestic violence.

## **IX. MEETING ADJOURNED**

Judge Miller adjourned the meeting at 1:25 p.m. The next meeting will be held on Wednesday, **November 18, 2009 at 12:30 p.m.**, Courthouse East, Room 510.

## **MEETING HANDOUTS**

- 1) Minutes from September 9, 2009
- 2) Division of Pretrial Detention and Services Population Briefing
- 3) The Police Commissioner's Report
- 4) The Division of Parole and Probation's Report
- 5) The Baltimore City Domestic Violence Fatality Review Team's 2009 Recommendations and Report

**\*As always, we request that all in attendance sign the attendance sheet which is available at each meeting.**

*Respectfully submitted,*  
Kimberly Smalkin Barranco  
Executive Director