

# THE BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL

---

## MINUTES FROM THE NOVEMBER 18, 2009 MEETING

**In Attendance\*:** Chairman Judge John Philip Miller; Kimberly Barranco, CJCC Executive Director; Frederick Bealefeld III, Commissioner, Baltimore City Police Department; Stephanie Rawlings-Blake, President, Baltimore City Council; Dr. Mark Bowen for Secretary Donald DeVore, Department of Juvenile Services; Bruce Brown, Acting Regional Administrator, Division of Parole and Probation; Lt. Samuel Cogen for Sheriff John Anderson; Frank Conaway, Circuit Court Clerk; Lonnie Ferguson, Administrative Clerk for District 1; Sheryl Goldstein for Mayor Sheila Dixon; Marcella Holland, Circuit Court Administrative Judge; Patricia Jessamy, State's Attorney's; 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.

Jason Abbott, OAG; Nana Benneh, District Court; Genelle Burgan, District Court; Marty Burns, SAO; Douglas Colbert, UMD School of Law; Patricia Deros, SAO; Justin Fenton, *Baltimore Sun*; Michael Hanlon, US Attorney's Office; Charles Innes; Denise Jett, Lexington National; Rob Johnson, DJS; Gary Musgrave, OAG; Spencer Nichols, Mayor's Office; Amanda Owens, Abell Foundation; Dave Pantzer, UMD School of Law; Claire Rossmark, Department of Legislative Services; Andrew Smullian, Office of the City Council President; Angela Sobol, CJCC; Joe Sviatko, SAO; Nastassia Walsh, Justice Policy Institute; Keva White, Baltimore Mental Health Systems.

---

## MEETING DIALOGUE

The Meeting was called to order at approximately 12:35 p.m. and Judge John Philip Miller welcomed the Council.

Judge Miller requested a motion to approve the October 14, 2009 minutes. The minutes of October 14, 2009 were adopted unanimously.

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

Judge Miller called on Secretary Gary Maynard to provide an update on the Rosemont PAL Center. Secretary Maynard advised that the City is looking at several different uses of the PAL center, such as continuing to use it as a community center or converting it into a storage facility or office space. He reported that currently inmate labor is being used to inventory everything in the center. Sheryl Goldstein advised that a decision should be made as to the future of the center within 30 to 45 days.

Judge Miller advised members that 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. He further advised that the Jury Commissioner will be giving a presentation at the December meeting on the court's jury system.

# THE BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL

---

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

Mrs. Barranco advised members that a report rotation for 2010 was included in their meeting packets. She asked that members review the schedule and let her know as soon as possible if they have any conflicts with their assigned report date.

Mrs. Barranco provided an update on the following subcommittees:

The **Warrant Committee**, chaired by Judge Barbara Waxman, meets bi-monthly and is working on a number of warrant related issues with input from all involved agencies. The Committee continues to monitor the release of individuals with open warrants and facilitates the formation of protocols for the pick-up of warrants and protective orders.

The **Domestic Violence Coordinating Committee (DVCC)**, chaired by Judge Keith Mathews, is comprised of a full committee which meets quarterly and a smaller Steering Committee which meets monthly. The Steering Committee focuses on implementing the recommendations of the Domestic Violence Fatality Review Team (which also meets monthly) as well as addressing other issues of concern.

The **Technology Committee**, chaired by Darren O'Brien, also meets monthly. This committee provides a forum for discussion on shared technology projects and issues, and serves as the means to integrate technology between member agencies.

Judge Nathan Braverman chairs the **Continuity of Operations Planning, or COOP, Committee**, which provides a forum for CJCC members and other entities to work collaboratively on issues of common concern regarding emergency preparedness.

Judge John Hargrove serves as Chair of the **Transportation Committee**, which addresses issues related to the transportation of inmates and identifies areas in which improvement is needed.

The **Fugitive Safe Surrender Steering Committee** meets monthly, and met most recently on November 2nd. Comprised of representatives from eighteen different state and local agencies who all have a role to play in a successful Safe Surrender initiative, the Steering Committee has grown in size as the planning process has moved forward. As part of that planning process, Mrs. Barranco advised that she and CJCC Project Coordinator Angela Sobol traveled to Newark, New Jersey on November 6 to observe their Fugitive Safe Surrender program. She reported that they met with the Chief of the Newark Sheriff's Department, which was coordinating the program, and he very generously offered to travel to Baltimore to share their experiences with the Steering Committee. Mrs. Barranco reported that it was extremely helpful to be able to observe how they not only set-up their program, but how they dealt with the number of individuals who arrived to have their warrants resolved.

The Steering Committee will continue to meet regularly to work out the details of each agency's participation through smaller workgroups which are working on issue such as

# THE BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL

---

logistics and security, legal and judicial proceedings, technology, records, and volunteers. The site selection workgroup has looked at two potential sites and plans to look at several others. Mrs. Barranco advised that the committee is still awaiting word on whether grant funding will be awarded and she will keep the Council informed as to their progress at the next CJCC meeting in December.

Stephanie Rawlings-Blake commented that there is legislation pending in the City Council regarding jury selection and asked if that information could be forwarded to the Jury Commissioner prior to the next meeting. Judge Miller advised President Rawlings-Blake to forward the legislation to Mrs. Barranco who will forward it to the jury commissioner.

### **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 for adults is slightly down and the juvenile population is stable. He attributed the slight decrease in the adult population to a slight decrease in bookings. He reported that RORs and RWOCs have remained stable.

Commissioner Watson thanked GOCCP for helping them secure a Cell Brite machine, which is used to download information from confiscated cell phones and SIM cards. He reported they are still working out some software issues, but once everything is up and running all downloaded information will be forwarded to HIDTA and the BPD to analyze.

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

Commissioner Bealefeld reported that violent crime is down 7%. He also reported that there are 400 fewer robberies YTD than this time last year and that serious offenses (Part I crime) is down 6%. Commissioner Bealefeld stated that in addition to those decreases, there have been 3600 fewer adult arrests and 1000 fewer juvenile arrests.

President Rawlings-Blake asked if clearance rates are tracked. Commissioner Bealefeld reported that they are, however they are not included in the written report. He reported that YTD, the homicide clearance rate has been 56.4%, while it was only 47% last year. Additionally, the YTD clearance rate of non-fatal shootings is 47% in comparison to 46.6% last year. President Rawlings-Blake asked the commissioner if there have been any downward trends. Commissioner Bealefeld stated that there have been but he did not have that information with him.

### **V. STATE'S ATTORNEY'S OFFICE REPORT – PATRICIA JESSAMY**

Mrs. Jessamy referred to the SAO quarterly report for April through June 2009. Mrs. Jessamy advised that a quarterly progress report for the War Room was filed which discussed some of its major successes during the reporting period. She further reported that 17,864 arrested offenders were reviewed by the War Room and 108 VOP warrants were issued by a judge. Mrs. Jessamy also advised that the statistics for the F.I.V.E. Unit are included in the report as well. She noted that fewer cases were nolle prossed due to legal insufficiency.

# THE BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL

---

Mrs. Jessamy reported that she is seeing progress with witness issues and that there are fewer cases of uncooperative witnesses or witnesses that they are unable to locate.

## **VI. BALTIMORE SUBSTANCE ABUSE SYSTEMS, INC. (BSAS) REPORT – GREGORY C. WARREN, PRESIDENT & CEO**

This report was deferred to a later meeting due to a representative from BSAS not attending the meeting.

## **VII. BAR ASSOCIATION OF BALTIMORE CITY REPORT – MICHAEL E. KAMINKOW, ESQ.**

This report was deferred to the December meeting. Mr. Kaminkow was in court and unable to attend the meeting.

## **VIII. SHERIFF'S OFFICE REPORT – LT. SAMUEL COGEN**

Lt. Cogen reported that the Sheriff's Office receives, on average, about 630 warrants per month. He advised that the total number of Circuit Court warrants held by the Sheriff's Office this year is 13,775 to date; the total number of FTA warrants is 4,777 and the total number of VOP warrants is 4,116. He advised those numbers are based on a November 16, 2009 data pull. Lt. Cogen reported that the Sheriff's Office maintains a warrant service unit that clears approximately 130 warrants every month. He reported that in response to the abundance of warrants and staffing restrictions, the Sheriff's Office has begun a pilot program to prioritize warrants for service based on the listed offense. Lt. Cogen reported that crimes of violence, gun offenses or index crime are receiving the highest priority.

Lt. Cogen reported that a Deputy Sheriff has been detailed to the MSP squad attached to the Regional Warrant Apprehension Task Force. He reported that since April 2009, the Deputy Sheriff/State Police Team has cleared over 330 Circuit Court warrants. Currently, this squad has pulled 200 Circuit Court FTA warrants for service.

Lt. Cogen advised that the Sheriff's Office has been working warrant details with parole and probation agents to assist in the service of VPI warrants and with the WATF to target probation violators. Lt. Cogen thanked GOCCP for the funding it received to allow sheriff's deputies to work a second shift to apprehend individuals wanted on VOP warrants, which has been very successful so far.

Lt. Cogen advised that he met with Major Joseph Smith from BPD Central Records to work on linking the Circuit Court warrants into the Police Department Records Management Systems. Lt. Cogen stated that this will allow geographical mapping of Circuit Court warrants and give further access of Circuit Court warrants to the police department. Lt. Cogen reported that a pilot project is set to begin in which pictures of wanted individuals will be posted on the Sheriff's Office webpage. Additionally, "most wanted" flyers and advertising will be distributed as well as encouraging anonymous tips to arrest fugitives.

President Rawlings-Blake asked what number of the 4,116 VOP warrants are for an underlying crime of violence. Lt. Cogen reported that he will get back to her with the most recent figure, but that last month there were 700.

# THE BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL

---

Kristen Mahoney stated that GOCCP has been working with Judge Ben Clyburn and JIS in getting a live feed of warrants as they are issued. She said an MOU is in the works to be signed by DPSCS and JIS. She advised that the warrants will be able to be viewed on the Law Enforcement Dashboard once they are issued.

## **IX. PRESENTATION ON GANG PROSECUTION BY THE OFFICE OF THE ATTORNEY GENERAL'S GANG UNIT – JASON ABBOTT, ESQ. & GARY MUSGRAVE, ESQ.**

Brian Kleinbord introduced Jason Abbott and Gary Musgrave who work in the Attorney General's Gang Unit. He advised that Mr. Abbott is the chief of the gang unit.

Mr. Abbott related that he started in the gang unit in 2007 in response to the gang statute and that he previously worked in Montgomery County in the SAO's gang prosecution unit. Mr. Abbott advised that the statute that was passed in 2007 allows the OAG's gang unit to prosecute gang cases at the request of a State's Attorney's Office. He reported that they have helped prosecute cases in Baltimore City and helped draft the motion addressing the constitutionality of the statute.

Mr. Musgrave related that he and Mr. Abbott spent a great deal of the summer working in western MD in Alleghany and Washington County. He advised they were dealing with gang members in prison, in which the gang members were the victims of assault by correctional officers. Mr. Abbott stated that due to their travels throughout the state, they have been able to learn a great deal about gang issues experienced in different parts of the state. He said it has been very educational for them to have the opportunity to talk to law enforcement officials from across the state. Mr. Abbott advised that they also visit schools and talk to students about gangs and help with gang prevention.

Mr. Conaway inquired as to the screening process of correctional officers as it pertains to prior or current gang-related involvement. Mr. Abbott stated that none of the correctional officers prosecuted in the cases in Alleghany and Washington County were involved in a gang. He reported that the people he has spoken to in Alleghany and Washington County are concerned about that issue and have taken the necessary steps to avoid hiring current or ex-gang members. Mr. Conaway asked if once it is learned that a correctional officer is a current or ex-gang member if that person should be dismissed from their job or charged. Mr. Abbott stated that hiring an active member of a gang as a correctional officer is in his opinion a conflict. Secretary Maynard stated that the Corrections Commission has developed regulations requiring that applicants for corrections positions be screened for gang affiliation. He reported that this pre-screening tool was developed to deal with issues at the front end of the hiring process. Mrs. Jessamy stated that it is very important at all levels of government to weed out people with gang ties. President Rawlings-Blake advised the Council that a resolution regarding screening prison workers for gang affiliations had recently been introduced, and she will ask Secretary Maynard to speak on this issue when the bill is heard in the City Council.

# THE BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL

---

Commissioner Bealefeld stated that there will be a DEA Memorial Service on December 3, 2009 at 10:00 a.m. in the 1800 block of Frederick Avenue to mark the anniversary of the death of Det. Marty Ward.

Judge Miller advised the Council that his two-year term as Judge-in-Charge of the Criminal Docket and Chair of the CJCC would end at the close of this calendar year and that Judge M. Brooke Murdock will assume the role as Judge-in-Charge of the Criminal Docket and Chair of the CJCC in January.

## **IX. MEETING ADJOURNED**

Judge Miller adjourned the meeting at 1:20 p.m. The next meeting will be held on Wednesday, **December 9, 2009 at 12:30 p.m.**, Courthouse East, Room 510.

## **MEETING HANDOUTS**

- 1) Minutes from October 14, 2009
- 2) CJCC Report Rotation for 2010
- 3) Division of Pretrial Detention and Services Population Briefing
- 4) The Police Commissioner's Report
- 5) The State's Attorney's Office 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