



2020 Report of the Justice Reinvestment Oversight Board

*State Government Article § 9-3212, Chapter 515(3) of
2016 (Senate Bill 1005)*

Chairman: Daniel M. Long

Submitted by:
Governor's Office of Crime Prevention, Youth, and Victim Services

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Acknowledgements

This *2020 Report of the Justice Reinvestment Oversight Board* is the result of hard work, valuable input, and dedication from numerous stakeholders: government officials, law enforcement, state's attorneys, victims' rights representatives, and state and local government representatives. Everyone was generous with their time and supportive feedback. Their participation, feedback, suggestions, and recommendations were invaluable for the final report. The completion, timeliness, and comprehensiveness of this report would not have been possible without their active participation and support.

Roster of Members

Justice Reinvestment Oversight Board

The Justice Reinvestment Oversight Board is composed of various members, and a Chair appointed by Governor Hogan.

Judge Daniel M. Long
Chairman

Sheriff Doug Mullendore
Washington County Sheriff's Office

Senator Michael Hough
Maryland Senate

Chief Judge John Morrissey
District Court of Maryland

Delegate Kathleen Dumais
Maryland House of Delegates

Judge Kathleen Gallogly Cox
Baltimore County Circuit Court

V. Glenn Fueston, Jr.
Vice Chairman, Governor's Office of Crime
Prevention, Youth, and Victim Services

James Rzepkowski
Department of Labor, Licensing, and
Regulation

Secretary Robert L. Green
Department of Public Safety and
Correctional Services

Sheriff Jim Dewees
Carroll County Sheriff's Office

John D. Smack
Maryland Parole Commission

Scott Shellenberger
State's Attorney, Baltimore County

Major Roland Butler
Maryland State Police

Major T.D. Reece
Calvert County Sheriff's Office

David Eppler
Office of the Attorney General

County Executive Calvin Ball
Howard County

Paul DeWolfe
Office of the Public Defender

Russell Butler
Crime Victims' Representative

Secretary David Brinkley
Department of Budget and Management

Lori Brewster
Wicomico County Health Department

John Robison
Maryland Department of Health

Perthean Toins-Banks
Department of Labor, Licensing, and
Regulation

Council President Corey Pack
Talbot County Council

Gail Watts
Baltimore County Department of
Corrections

Dr. Travis Gayles
Montgomery County Health Department

Justice Reinvestment Advisory Board

The Justice Reinvestment Advisory Board consists of various members selected by the Justice Reinvestment Oversight Board, and is chaired by the Governor's Office of Crime Prevention, Youth, and Victim Services.

V. Glenn Fueston, Jr.
Chairman, Governor's Office of Crime
Prevention, Youth, and Victim Services

Michele Hughes
Representative of Victims of Sexual Assault

Jamin Ford
AFSCME

Crista Taylor
Behavioral Health System Baltimore

Lenora Dawson
NAACP

Ben Pearlman
Maryland Retailers Association

Nicholas Charles Katz
CASA de Maryland

Caryn York
Job Opportunities Task Force

Yanet Amanuel
ACLU of Maryland

Bill Gaertner
Gatekeepers

Christine Celeste
Maryland Bar Association

Dr. Valerie Barnes
Maryland Chamber of Commerce

Trisha Gentle
Maryland Network Against Domestic
Violence

Local Government Justice Reinvestment Commission

The Local Government Justice Reinvestment Commission includes members from each jurisdiction, and an appointed Chair.

Council President Corey Pack
Chairman, Talbot County

Angela Talley
Montgomery County

Lt. Dan Lasher
Allegany County

Major Ross Passman
Anne Arundel County

Vacant
Baltimore City

Gail Watts
Baltimore County

Lt. Timothy Fridman
Calvert County

Sheriff Jim DeWees
Carroll County

Major Mary Allen
Cecil County

Officer James E. Proctor
Charles County

Joseph Hughes
Dorchester County

Randy Martin
Frederick County

Lisa Thayer Welch, Esq.
Garrett County

Lt. Wayne Ramsey
Harford County

Jack Kavanaugh
Howard County

Herbert Dennis
Kent County

Corenne Labe
Prince George's County

LaMonte Cooke
Queen Anne's County

Sheriff Ronnie Howard
Somerset County

Lt. Peter F. Wild
St. Mary's County

Maylon Campher
Washington County

Lt. Richard Wiersberg
Wicomico County

State's Attorney Kris Heiser
Worcester County

Executive Summary

Chapter 515 of 2016 (Senate Bill 1005), *Justice Reinvestment Act*, established a comprehensive criminal justice reform package to enable Maryland to better protect communities, restore families, and move the State's economy forward.¹ The Act also created three entities to provide oversight and guidance on the implementation of the Justice Reinvestment Act (JRA).

- [Justice Reinvestment Oversight Board](#) (Oversight Board)
- [Justice Reinvestment Advisory Board](#) (Advisory Board)
- [Local Government Justice Reinvestment Commission](#) (Local Commission)

Subtitle 32 of the State Government Article required the Oversight Board to meet at least quarterly each year, and to be staffed by the Governor's Office of Crime Prevention, Youth, and Victim Services (Office)² - previously known as the Governor's Office of Crime Control and Prevention.³ It also required the Oversight Board to establish the Advisory Board to include criminal justice system stakeholders in the analysis of the implementation of the justice reinvestment initiatives, and to consult and coordinate with the Local Commission and other units of the State and local jurisdictions concerning justice reinvestment issues.

To address this charge, the Oversight Board, the Advisory Board, and the Local Commission coordinated efforts to implement the law as required and to ensure it affects the desired changes in Maryland's prison and case outcomes. Through this partnership, member agencies monitored implementation successes and addressed roadblocks to performance measurement.

- The Oversight Board approved and began to oversee the first round of [Performance Incentive Grant Fund](#) grantees, approved and submitted the Victim Restitution Report, and created two new workgroups to explore additional improvements in the areas of victim restitution and expungements. These workgroups are expected to produce recommendations for the board in 2021. In addition, the Oversight Board monitored the impact of the Coronavirus Disease 2019 (COVID-19) pandemic on the justice system.
- The Advisory Board reviewed performance measures and data collected by the Office across a range of issues, contributed to the development of victim restitution recommendations, and began exploring opportunities to expand expungements.
- The Local Commission monitored Performance Incentive Grant Fund grantees, shared COVID-19 best practices and information, explored and contributed input on a range of

¹ Maryland General Assembly. (2016). [Chapter 515 of 2016 \(Senate Bill 1005\)](#).

² The Office serves as the coordinating agency for the Oversight Board, the Advisory Board, and the Local Commission, and oversees the JRA performance measurement. In this capacity, the Office staffs, manages membership, and coordinates activities and follow-up actions for each.

³ Maryland General Assembly. (2020). [Chapter 11, Acts of 2020](#). In March 2020, the Governor's Office of Crime Control and Prevention was renamed the Governor's Office of Crime Prevention, Youth, and Victim Services.

issues including expungement, restitution, and services for returning citizens and those in local detention, and continued efforts to improve local coordination and information sharing.

Pursuant to § 9-3212 of the State Government Article, this *2020 Report of the Justice Reinvestment Oversight Board* includes information on the activities of the Oversight Board and the Local Commission from January 1, 2020 through December 31, 2020. It also provides recommendations for further improvement, including:

- Incorporating technical and substantive modifications to the original JRA provisions.
- Standardizing justice records, beginning with standard law enforcement reporting through the National Incident-Based Reporting System (NIBRS), which is currently used in two of Maryland's five most populous jurisdictions.
- Coordinating with universities to evaluate promising practices in Maryland.

Background

Chapter 515 of 2016 created an Oversight Board, under Subtitle 32 of the State Government Article, with staffing from the Office to provide oversight and guidance on the implementation of JRA.⁴ It also required the Oversight Board to establish an Advisory Board for the purpose of including stakeholders in the criminal justice system in the analysis of the implementation of justice reinvestment initiatives. Additionally, § 9-3211 of the State Government Article created and charged the Local Commission to:

- Advise the Oversight Board on matters related to legislation, regulations, rules, budgetary changes, and all other actions needed to implement the recommendations of the Justice Reinvestment Coordinating Council as they relate to local governments;
- Make recommendations to the Oversight Board regarding grants to local governments from the Performance Incentive Grant Fund; and⁵
- Create performance measures to assess the effectiveness of the grants.

Furthermore, and in accordance with § 9-3212 of the State Government Article, the Oversight Board must report to the Governor and the General Assembly by December 31 of each year as it relates to the activities of the Oversight Board and the Local Commission.

⁴ Maryland General Assembly. (2016). [*Chapter 515 of 2016 \(Senate Bill 1005\)*](#).

⁵ Maryland General Assembly. (2016). [*Chapter 515 of 2016 \(Senate Bill 1005\)*](#); § 9-3209 of the State Government Article. The Performance Incentive Grant Fund is to make use of the savings from the implementation of the recommendations of the Justice Reinvestment Coordinating Council, and is to be administered by the Office as indicated in this subsection.

Justice Reinvestment Oversight Board

In response to the COVID-19 pandemic, the Oversight Board met three times in 2020, to provide updates on placement times for court-ordered treatment and agency updates on the progress of JRA (see [Appendix A](#) for meeting agendas). Between meetings, Chairman Long and staff from the Office engaged with members of State and local government, advocacy groups, and criminal justice organizations to solicit feedback and identify potential issues that would merit the attention of the Oversight Board.

During each meeting, the Oversight Board received presentations on the progress and issues surrounding specific provisions of JRA. In 2020, the Maryland Department of Health (MDH) reported that the average placement time under § 8-507 of the Health General Article was within the established JRA placement window of 21 days. MDH also reported that placement into treatment decreased to 10-10.5 days, and assessments under § 8-505 of the Health General Article largely occurred within the required seven days. Throughout this time, MDH continued to communicate with providers to ensure treatment bed availability continued to meet and exceed demand.

In 2020, the Administrative Office of the Courts (AOC) reported data tracking of revocation cap sentences. AOC identified cases that were impacted by JRA sentencing changes, and reported that 85% of such cases were decided within the JRA caps. This general trend honors the guidance of the new JRA sentencing caps, and is consistent across all technical revocation sentences, regardless of being subject to JRA.

To continue refinement of JRA performance measurement, and to set concrete targets, the Oversight Board continues to work with partner agency analysts to collect JRA data, and to collaboratively develop performance measures with the Office.

COVID-19

In March 2020, Maryland began to experience the impact of the global COVID-19 pandemic which disrupted the operation of State agencies. Due to this pandemic, which resulted in a State of Emergency, the Oversight Board was unable to meet on a quarterly basis. They did, however, meet three times in 2020, of which two meetings occurred through virtual teleconferences. As many key JRA agencies continue to experience the impact of the COVID-19 pandemic, the Oversight Board has become a convenient structure through which agencies can share updates on their response and answer questions from a wide range of stakeholders.

Legislative Impacts

The Oversight Board reviewed subsequent impacts of the 2020 legislation related to law enforcement, corrections, criminal law and procedure, and firearms to identify overlap with JRA programs and potential impacts to State and local corrections populations. Legislative efforts in 2020 resulted in an expanded list of citable crimes, investments in treatment, and additional studies. These provisions complement JRA performance tracking and mark an expansion of JRA efforts. Going forward, the Oversight Board will request quarterly updates on these new provisions to monitor any resulting change in detention trends.

Victim Restitution

In 2020, the Oversight Board continued to focus on victim restitution. [Chapter 422 of 2018](#) established the Victim Services Unit in the Office, and charged the Victim Services Unit to coordinate with the judiciary, the Department of Public Safety and Correctional Services, the Department of Juvenile Services, the Central Collection Unit, state's attorney's offices, and local correctional facilities to improve restitution collection. In addition, Chapter 422 of 2018 required the Oversight Board to provide oversight and guidance to the Victim Services Unit, and ensure that the data systems developed by the Victim Services Unit enhance victim services and are user-friendly for persons responsible for the data systems. It also required the Oversight Board to ensure the Victim Services Unit adopts appropriate outcome measures, reviews outcomes, and recommends any appropriate actions based on the outcomes; and assess whether the current system of collecting restitution should remain within the existing State and local entities. Furthermore, it required the Oversight Board to submit a report to the Governor and General Assembly by December 31, 2019, as it relates to recommendations to improve the process of restitution, including whether the Victim Services Unit can take over restitution collections without impacting its ability to serve victims.

Pursuant to this charge, the Oversight Board submitted the report which detailed several recommendations to improve restitution collection in Maryland. The report also recommended the reconvening of the Restitution Workgroup to investigate the proposals within the report, and to make final recommendations to the Oversight Board. The reconstituted workgroup initially met in August 2020, and is expected to submit recommendations to the Oversight Board in the second quarter of 2021.

Expungements

JRA included a substantial expansion of expungements in Maryland. In response to interest from the Advisory Board, the Oversight Board created an expungements workgroup to investigate potential improvements to the system. A key area of initial focus is the removal of barriers to

expungement for non-convictions. The workgroup initially met in August 2020, and is expected to submit recommendations to the Oversight Board in the second quarter of 2021.

Justice Reinvestment Advisory Board

The Advisory Board continued to identify needs for improved data collection and reporting. The Advisory Board anticipates that additional reporting categories will be provided by the Department of Public Safety and Correctional Services in 2021, to build upon current efforts.

The Advisory Board advised the Victim Services Unit on the recommendations included in the restitution report which was delivered by the Oversight Board. In addition, the Advisory Board continued to support the expungement workgroup which will continue into 2021.

The Advisory Board began monitoring the spread of COVID-19 and shared information from members and other groups outside of state government. The Advisory Board also received information from various agencies involved in the State's response to the pandemic, and provided input on related issues.

Local Government Justice Reinvestment Commission

Chapter 515 of 2016 established the Local Commission to provide local government with a voice in the JRA process. Corey Pack of Talbot County was nominated as Chairman of the Local Commission. Under the leadership of Chairman Pack, the Local Commission convened four times (February, May, August, and December) to build upon the efforts made to date.⁶

In 2020, and given the COVID-19 pandemic that resulted in a State of Emergency, the Local Commission focused its efforts on responding to the pandemic, and served as a forum to promote information sharing between jurisdictions and state partners.

The Local Commission also focused on the expansion of evidence-based recidivism reduction programs, which are eligible for expanded diminution credit opportunities. This is a high priority for reinvestment at the local level which helped to guide the Local Commission's recommendations for priority funding areas under the Performance Incentive Grant Fund. Specifically, the Local Commission identified the following priority populations for increased or expanded programming: incarcerated women, justice-involved individuals in need of mental health programming, incarcerated parents, and victims of crime.

In 2020, the Local Commission monitored Performance Incentive Grant Fund grantee progress and outcomes, and will continue to assess gaps in services to identify future funding priority

⁶ See [Appendix C](#) for agendas.

areas under the Performance Incentive Grant Fund. The Local Commission also received updates from Performance Incentive Grant Fund grantees on the progress of their programs, information from local correctional facilities and other state partners regarding the implementation of the Medication-Assisted Treatment program in local correctional facilities, and other initiatives within the Department of Public Safety and Correctional Services.

The Local Commission will continue to provide expertise and knowledge to local government agencies to support the expungements and victim restitution workgroups in 2021.

Future Priorities

The Oversight Board will continue to refine policy recommendations for victim restitution, expungements, data collection, and any JRA area with opportunities to improve performance and enhance public safety. In 2021, the Oversight Board will include in its report an analysis regarding the impact of the COVID-19 pandemic, and its effect on the justice system.

The Advisory Board will continue its recommendations for data standardization and will support the expungement and restitution workgroups. Areas for future work include a renewed focus on reentry and related support services for returning citizens as it relates to trauma informed care within facilities.

The Local Commission will continue to monitor grantee performance and will receive quarterly updates and presentations from grantees. This will help inform future reinvestment recommendations. In addition, the Local Commission will continue to support the workgroups, the dissemination of best practices, and the implementation of new programming.

Appendix A: Oversight Board Meeting Agendas

Justice Reinvestment Oversight Board



Location:

Baltimore City Delegation Room, Room 145
House Office Building, Annapolis, MD 21401

Date:

Tuesday, January 14, 2020

Time:

3:00 - 4:30 p.m.

Agenda details:

- I. 3:00 - 3:05 Call to Order
- II. 3:05 - 3:25 Agency Updates
 - A. Maryland Department of Health
 - B. Department of Public Safety and Correctional Services
 - C. Department of Labor, Licensing, and Regulation
 - D. Administrative Office of the Courts
 - E. Local Detention Centers
 - F. Governor's Office of Crime Control and Prevention
- III. 3:25 - 3:35 JRA Performance Measures
- IV. 3:30 - 4:00 Reinvestment/Performance Incentive Grant Fund Update
- V. 4:00 - 4:25 Victim Restitution
 - A. Restitution Workgroup
- VI. 4:25 - 4:30 Good of the Order & Adjournment

Justice Reinvestment Oversight Board



Location: Remote Meeting

Date: Friday July 24, 2020

Time: 10:00 - 11:00 A.M.

Agenda details:

- I. Call to Order
- II. Agency Updates
 - A. Maryland Department of Health
 - B. Department of Public Safety and Correctional Services
 - C. Administrative Office of the Courts
 - D. Local Detention Centers
 - E. Governor's Office of Crime Prevention, Youth, and Victim Services
 - 1. JRA Performance Measures
- III. Restitution
 - A. Report
 - B. Workgroup Formation
- IV. Expungements Workgroup
- V. Maryland Parole Commission Update
- VI. Open Forum/Suggestions for Future Review
- VII. Good of the Order & Adjournment

Justice Reinvestment Oversight Board



Location:

<https://meet.google.com/phy-vfay-yon>

Date: Tuesday, October 20, 2020

Time: 11:00 A.M. - 12:30 P.M.

Agenda details:

- I. Call to Order/Roll Call
- II. Introduction of New Members
- III. Agency Updates
 - A. Maryland Department of Health
 - B. Department of Public Safety and Correctional Services
 - C. Administrative Office of the Courts
 - D. Local Detention Centers
 - E. Governor's Office of Crime Prevention, Youth, and Victim Services
 1. JRA Performance Measures
- IV. Expungement and Restitution Workgroup Updates
- V. Juvenile Justice Reform Council Presentation
- VI. Maryland Department of Health Medicare/Criminal Justice Presentation
- VII. Return Home Baltimore Presentation
- VIII. Next Meeting
- IX. Good of the Order & Adjournment

Appendix B: Advisory Board Meeting Agendas

Justice Reinvestment Advisory Board



Location: Governor's Office of Crime Control and Prevention
Main Conference Room
100 Community Place
Crownsville, MD 21032

Call in: +1 413-276-7236 PIN: 8525 733 8520##

Date: Tuesday, January 7, 2020

Time: 10:30 a.m. – 12:00p.m.

Agenda details:

- Introductions
- Review and Approval of Minutes
- Updates
 - Performance Measures
 - Performance Incentive Grant Fund
- DPSCS Q&A
- Expungements
- Data Q&A
- Open Forum
- Closing Thoughts and Next Steps

Justice Reinvestment Advisory Board



Location: Remote Meeting
Call in: meet.google.com/gho-xesw-ady
+1 443-402-6039 PIN: **808 987 891**
Date: Monday May 4, 2020
Time: 11:30 a.m. – 12:30p.m.

Agenda details:

- Introductions
- Review and Approval of Minutes
- Member Updates
- GOCPYVS Updates
- Covid-19 Response Discussion
- Expungements
- Open Forum
- Closing Thoughts and Next Steps

Justice Reinvestment Advisory Board



Location: Remote Meeting
Call in: <https://meet.google.com/zqp-cggv-ndg>
(US) +1 617-675-4444 PIN: 388 028 604 7715#
Date: August 19, 2020
Time: 10:30 a.m. – 11:30p.m.

Agenda details:

- Introductions
 - New member introduction
- Review and Approval of Minutes
- Member Updates
 - Oversight Board Updates
 - Workgroups
 - Expungements
 - Restitution
- JRCC Discussion
- Open Forum
 - Suggestions for future work
- Closing Thoughts and Next Steps

Justice Reinvestment Advisory Board



Agenda details:

Location: <https://meet.google.com/ehw-jvas-joj>
Date: November 16, 2020
Time: 1:00 p.m. – 2:00 p.m.

- Introductions
- Review and Approval of Minutes
- Member Updates
 - Oversight Board Updates
 - Workgroups
 - Expungements
 - Restitution
- DPSCS Update
- Opioid Operational Command Center Update
- Maryland Department of Health Center for Harm Reduction Services Update
- Open Forum
 - Suggestions for future work
- Closing Thoughts and Next Steps

Appendix C: Local Commission Meeting Agendas



GOVERNOR'S COORDINATING OFFICES

COMMUNITY INITIATIVES • SERVICE & VOLUNTEERISM • PERFORMANCE IMPROVEMENT
CRIME CONTROL & PREVENTION • SMALL, MINORITY & WOMEN BUSINESS AFFAIRS
CHILDREN • DEAF & HARD OF HEARING

Justice Reinvestment Local Commission

10 AM, February 20, 2020

Agenda

- Call to Order
- Introductions
- Review and Approve Minutes
- Housing Discussion
 - Danielle Miester - DHCH
 - Joanna Diamond - HCH
 - Local Needs
- DPSCS Updates and Introductions
 - Asst. Sec. Carolyn Scruggs
 - Director of Reentry and Transition Services Marsha Briley
- HB 116 Updates
 - GOCCP & BHA
- PIGF Updates
 - State and Local Grantees
- COAP Grant Updates
 - Training Opportunities
 - ACES
- County Council Visits
- Next Meeting
 - Topics, Scheduling

GOVERNOR'S COORDINATING OFFICES
100 COMMUNITY PLACE
CROWNSVILLE, MD 21032-2023



GOVERNOR'S COORDINATING OFFICES

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CRIME CONTROL & PREVENTION • SMALL, MINORITY & WOMEN BUSINESS AFFAIRS
CHILDREN • DEAF & HARD OF HEARING

Justice Reinvestment Local Commission

1:30 PM, May 20, 2020

<https://meet.google.com/ozy-kptk-fwj>

+1 929-266-2267 PIN: 267 259 025#

Agenda

- Call to Order
- Introductions
- Review and Approve Minutes
- GOCPYVS Updates
 - Grants - Mary Abraham
 - HB 116 - Jim Hedrick
 - Performance Incentive Grant Fund
 - JRA Oversight & Advisory Boards
- Covid-19 Response
 - Member Updates
 - Pending Issues/Needs
- Remote Programming - Chair Corey Pack
- Next Meeting
 - Topics
 - Scheduling



GOVERNOR'S COORDINATING OFFICES

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CRIME CONTROL & PREVENTION • SMALL, MINORITY & WOMEN BUSINESS AFFAIRS
CHILDREN • DEAF & HARD OF HEARING

Justice Reinvestment Local Commission

1:00 PM, August 26, 2020

<https://meet.google.com/fnv-niex-pyq>

(US) +1 617-675-4444 PIN: 637 960 179 1851#

Agenda

- Call to Order
- Introductions
- Review and Approve Minutes
- GOCPYVS Updates
 - Funding - CESF
 - HB 116 - Jim Hedrick
 - HCAM
 - JRA Oversight & Advisory Boards
- Opioid Operational Command Center Update
- PIGF Grantee Update - Wicomico County Habitat for Humanity
- Gatekeepers Reentry Program Update
- Covid-19 Response
 - Member Updates
 - Pending Issues/Needs
- Next Meeting
 - Topics



GOVERNOR'S COORDINATING OFFICES

COMMUNITY INITIATIVES • SERVICE & VOLUNTEERISM • PERFORMANCE IMPROVEMENT
CRIME CONTROL & PREVENTION • SMALL, MINORITY & WOMEN BUSINESS AFFAIRS
CHILDREN • DEAF & HARD OF HEARING

Justice Reinvestment Local Commission

1:00 PM, December 1, 2020

<https://meet.google.com/icm-smcj-xwj>

Agenda

- Call to Order
- Introductions
 - Washington County
- Review and Approve Minutes
- MDH Center for Harm Reduction Services
- HB116 & CIT
- DPSCS updates
- JRA Workgroup updates
 - Expungement
 - Restitution
- Return Home Website
- Open Discussion