

# Juvenile Justice Reform Council

## Minutes

November 19, 2020  
9:00 a.m.-11:00 a.m.

### Virtual Meeting

---

#### **1. Welcome and Introductions**

- The meeting began with a roll call by Secretary Sam Abed (Chair) of the council members present; sufficient members were present for a quorum.

#### **2. Approval of October 29, 2020 Meeting Minutes**

- The minutes were reviewed and approved by the council.

#### **3. Workgroup Report and Discussion**

- Betsy Tolentino.
- Discussion of recommendations regarding probation.
- Discussion of recommendations regarding detention.

The following recommendations were considered, voted, and passed by the council:

- In making a pre-adjudication detention decision, a court, in addition to the other statutory factors, should be required to consider the findings of a validated risk assessment. For a child continued in detention, the Department of Juvenile Services (DJS) should develop a community-release plan within 10 days and submit the plan to the court and parties. The court should review detention status every 14 days.
- Current law should be changed to authorize the practice of returning certain petitions back to DJS intake for assessment, services, and supervision. The process should require that all the parties, including the child, the child's counsel, and the prosecutor, and the court agree to return the petition to intake for an informal adjustment. If the informal pre-court supervision is successful, the case should be dismissed. If unsuccessful, the case should move forward through the formal court process.

- Current law should be changed to set a maximum term for community supervision, limited to an initial term of 6 months if a child is adjudicated for an offense that would be a misdemeanor if committed by an adult, 12 months if a felony, and 24 months if an offense carrying a life penalty if committed by an adult. If the court finds, by clear and convincing evidence and after a hearing, that there is good cause to extend the term of community supervision for the purposes of completing a treatment program or rehabilitative services, then any additional supervision term may not exceed 3 months. The maximum term of community supervision, if extended beyond the initial term, should be 12 months for a misdemeanor offense and 24 months for a felony offense. Community supervision for life offenses may continue as long as the court retains jurisdiction.
- Change current law to provide that an intake officer or the court may not authorize detention or commit a child to DJS due to a technical violation of community supervision, as defined in § 6-101 of the Correctional Services Article.
- The use of pre-adjudication detention should be prohibited for an offense that would be a misdemeanor if committed by an adult, unless the offense is a violation involving a handgun under the Criminal Law Article or Public Safety Article, or the child has been adjudicated delinquent two or more times in the previous 12 months.
- DJS should respond within 12-months to the specific detention-related recommendations outlined regarding the operation, management, and programming in DJS facilities.
- Establish a collaborative group consisting of a Maryland State institute for public policy, a University of Maryland evidence-based and culturally competent practice institute, DJS, the Department of Human Services, and relevant stakeholders. The collaborative should be directed to publish descriptive definitions of evidence-based and culturally competent, research-based, and promising practices in the areas of child welfare, juvenile rehabilitation, and children's mental health services. The collaborative should be required to prepare an inventory of evidence-based and culturally competent, research-based, and promising practices for prevention and intervention services that will be used for the purpose of completing the baseline assessment and be periodically updated as more practices are identified.

#### **4. Future Meetings**

- Topics for upcoming meetings were discussed by the Chair.

## **5. Adjournment**

- The meeting was adjourned by the Chair.