

WES MOORE
Governor

ARUNA MILLER
Lieutenant Governor



DOROTHY LENNIG
Executive Director

Justice Reinvestment Oversight Board

Monday, February 2, 2026 · 1:00 – 3:00pm

Google Meet joining info

Video call link: <https://meet.google.com/aux-tmht-nkx>

Board Attendees

- Judge Kathleen Cox, Board Chair
- Dorothy J. Lennig, Esq., Executive Director, Governor's Office of Crime Prevention and Policy
- Assistant Secretary Angelina Guarino, Maryland Department of Public Safety and Correctional Services (designee)
- Commissioner Ernest Eley, Maryland Parole Commission
- Carrie Williams, Deputy Attorney General
- Natasha Dartigue, Maryland Office of the Public Defender
- Cristina-Jorge-Tunon, Maryland Department of Budget Management
- Sonia Chessen, Senior Advisor for Systems Reform, Maryland Department of Health
- Mary Ann Thompson, Warden, St. Mary's County Detention and Rehabilitation Center
- Chief Judge John Morrissey, District Court of Maryland
- Erin Roth, Maryland Department of Labor
- Walt J. Pesterfield, Director, Baltimore County Department of Corrections
- Ryan Ross, Director, Charles County Detention Center
- Danielle Cox, Department of Public Safety and Correctional Services

Agenda

I. Welcome and Opening Remarks - Judge Kathleen Cox, Justice Reinvestment Oversight Board, Chair

A. Call to Order

B. Roll Call

C. Approval of the Minutes

1. The Board moves to approve the minutes.

II. Department Reports

A. Governor's Office of Crime Prevention and Policy, Executive Director Dorothy Lennig

1. The Performance Incentive Grant Fund (PIGF) NOFA was approved yesterday, so it will be released by the end of the week.

B. Department of Public Safety and Correctional Services, Secretary Scruggs

1. Commissioner Eley shares that they are a few days away from having COMAR approved for medical and geriatric parole.
2. MPC has received lists regarding geriatric parole and is working to determine who is eligible for the risk assessment.
3. Three psychologists have been onboarded to focus on risk assessment work, and they are in the process of hiring four more.
4. Have been able to reduce the risk assessment list by 25% in the last month, making great strides in eliminating risk assessment backlog.

C. Maryland Department of Health, Sonia Chessen

1. From October 2025 to December 2025,
 - a) 95 8-505 evaluations were completed.
 - b) 87 8-507 defendants were placed into treatment, with a cycle time average of 20 days.
2. *See slides for more details.*

D. Local Detention Centers, Director Ryan Ross

1. No update.

E. Administrative Office of the Courts, Chief Judge Morrissey

1. The judiciary reports on compliance regarding technical violations, specifically the 15, 30, and 45-day presumptive caps. Exceeding those caps require a justification.
2. Historically, the compliance rate has been consistent at about 80% to 82% each quarter.
3. Judge Morrissey notes that the primary systemic problem causing the caps to be exceeded is when individuals with multiple cases are receiving credit for time served on another case before coming for the review of the technical violation in the old case.

III. Pretrial Improvements Workgroup Reports

A. Standardization Terms and Levels of Supervision

1. MaryDenise Davis (workgroup co-chair) shares that the last meeting was cancelled, as it was determined that this workgroup's objectives rely on the outcomes of other workgroups. Before making recommendations about standardizing pretrial levels, conditions, and terminology, it would be helpful to know more about the recommendations being made in the other areas.
2. Brandi Cahn notes that this workgroup is looking for more direction from the Oversight Board and encourages a conversation regarding next steps.
3. Judge Cox notes that pretrial processes lack consistency across jurisdictions, especially for judges crossing county lines. However, each jurisdiction has come up with a pretrial system that meets their

needs and resources. Judge Cox acknowledges the tension between the ideas of standardizing pretrial and jurisdictional differences. She wonders how much consistency is feasible and if regional approaches should be considered.

4. Judge Morrissey notes that this workgroup is meant to target local detention center operations as opposed to private home detention practices. With this workgroup, he hopes to standardize the terminology so a Level 1 means the same thing across jurisdictions in terms of the conditions of supervision. He suggests that this would not be a major adjustment for county-based pretrial units and does not think this group needs to wait on the other workgroup outcomes.
 - a) He suggests reaching out to the National Center for State Courts to see if other states have adopted unified practices.
 - b) Private home detention monitoring agencies were partially created/utilized as an effort to protect jail populations from the Covid-19 pandemic. Local detention centers did not have the capacity to oversee electronic monitoring, so the judiciary was charged with paying the companies (though they are not the licensing authority).
 - c) Judge Morrissey's concerns with private home detention include a lack of rules and regulations, delayed notices of violation, soliciting business in the courthouse, an unreliable provision of monitoring, and excessive costs.
5. Judge Cox clarifies that this indicates a disconnect when jurisdictions try to incorporate private home detention into the pretrial structure. The group should look at making recommendations regarding whether to continue utilizing these companies or to phase it out and use those funds for other purposes.
6. Davis suggests speaking with other agencies that have statewide pretrial systems, such as Virginia.
7. Erin Roth suggests reaching out to another organization to bring information to the workgroup, such as the National Governor's Association or the National Center for State Courts.
8. Captain Dan Lasher suggests creating guides for visiting judges so they can easily understand the pretrial landscape for that county and what each level entails. Chief Judge Morrissey adds that it is not just about convenience, it is also to ensure the judge is assigning the most appropriate, least restrictive level of supervision.
9. Assistant Secretary Guarino states that the validation of a statewide risk assessment tool is a best practice that has already been done in other states. The risk and supervision needs for a specific individual would not vary by county.
10. Director Ross asks if the assessments should be a judicial function to

reduce variability and allow the detention center to focus on supervision. Chief Judge Morrissey is concerned with judicial officers having both the responsibility of performing the assessment and of determining the pretrial outcomes.

B. Detainers and Information Sharing

1. Judge David Carey (workgroup chair) describes a proposed amendment that would allow detainers to be served on defendants that are being held in other jurisdictions so that these detainers are not held until the end of their stay. It will also allow the State's Attorney's Office to react and determine if they want to proceed with the detainer.
2. One piece of feedback stated that some warrants indicate they "are to be served in the county that they are issued". Judge Cox suggests investigating the reason that this was ever included on the forms and if it is a true requirement.
3. Wicomico County correctional staff are not under the supervision of the sheriff's department, so they are not trained to serve warrants.
4. Other counties expressed concerns about transportation, but the idea is to cut down on transportation by serving these detainers remotely.
5. Director Ryan Ross asks to be added to this workgroup, as he has multiple ideas and concerns regarding the draft proposal. Some of these concerns include lacking operational capacity for virtual hearings, staffing shortages, risks with missing deadlines, and software unequipped to track cases from multiple jurisdictions.

C. Legislation and Local Rules

1. Captain Lasher (workgroup chair) shares that his group also needed to wait for the other groups to develop findings or recommendations before being able to move forward.
2. Judge Cox adds that the initial focus for this group was to gather information on local rules currently in place, which has been done. She questions if anything else is needed from this group.
3. Judge Morrissey clarifies the goals of this workgroup and would be to look at existing authorizing statutes that permit pretrial on a county basis. Much of this legislation was implemented in the '80s and '90s, during a different era of criminal justice. It limits pretrial eligibility for individuals with misdemeanors, which is in conflict with best practices.
4. Judge Morrissey suggests that the pretrial rules passed in 2017 addressed much of the low-hanging fruit, but new rules could be written in a way to allow for discretion so that certain factors do not automatically disqualify an individual from pretrial release.

D. Private Home Detention and Electronic Monitoring

1. Judge Carlos Acosta (workgroup chair) recaps this group's previous

meeting. They created some key objectives (*see slides*) and reviewed survey data regarding EM eligibility, conditions of release, violation policies, and other data points relevant to this group.

2. Representatives from two private home detention companies presented about their services and oversight practices.
 - a) The representatives suggested that they need to be able to access MDEC to obtain timely information.
 - b) They made suggestions to increase violation responses and uniformity. For example, responding to minor violations are a waste of time for law enforcement, and they should focus on serving warrants. Also, inconsistencies in transfer of custody procedures and monitoring restrictions need to be addressed.
 - c) Article 241 does not clearly identify who is responsible for taking action once the private provider notifies law enforcement and the courts. There is also a lack of timely communication between agencies and implementation gaps.
3. Possible recommendations include exploring legislative changes to transfer violation notification and response to the court commissioner system and creating a standardized statewide form for all electronic monitoring companies to notify law enforcement of violations.
4. Judge Cox discusses a preliminary proposal to solidify existing statutory language, distinguish technical violations from non-technical violations, and create a system that would give EM companies/programs a short time period to request a warrant for non-technical violations.
5. Judge Cox wants to further investigate factors that determine who is authorized to pick up EM clients in violation of pretrial conditions, such as release status and statutory guidelines. In St. Mary's County, new charges are handled by the police, but technical violations of release conditions are handled and reported to the court by the detention center.

E. Risk Assessments and Validation

1. Kristie Ardire (workgroup chair) shares that her group's goal is to ensure the equitability and validity of pretrial risk assessment instruments. At the last meeting in December, Dr. James Austin presented on risk assessments and the validation process.
2. Additionally, a survey taken by 18 jurisdictions revealed that only 5 of these jurisdictions have validated their risk assessment instrument in the past 5 years, as required in statute. The cost of these validations ranged from \$10,000 - \$50,000.
3. This conversation led the group to want to compare jurisdictional, regional, and statewide approaches to risk assessment validation. The next steps are to investigate what other states have implemented,

learn about best practices in this area, and determine which approach makes the most sense for Maryland.

F. Data Collection

1. Jeff Zuback (workgroup chair) notes that the workgroup has received presentations from various agencies including local jails, DPSCS, and the Judiciary regarding regularly collected pretrial data. Once the other workgroups make more progress in their recommendations, this group will be able to brainstorm various pretrial metrics and collection methods based on data needs.

IV. Next Steps - Judge Cox and Brandi Cahn

A. May Meeting

1. The next Oversight Board meeting is scheduled for May 4th, 2026.
2. The pretrial workgroups will continue to meet in the meantime.

V. Good of the Order and Adjournment - Judge Cox