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**JUVENILE JUSTICE MONITORING UNIT  
STATE OF MARYLAND**

**2022 SECOND QUARTER REPORT**

## **The Maryland Juvenile Justice Monitoring Unit (JJMU)**

The Juvenile Justice Monitoring Unit (JJMU) is an independent state agency housed in the Office of the Maryland Attorney General. The JJMU is responsible for reporting on Maryland Department of Juvenile Services (DJS) operated and licensed facilities across the state. Monitors from the unit conduct unannounced visits to these sites to guard against abuse and ensure youth receive appropriate treatment and services.

The mission of the JJMU is to promote the transformation of the juvenile justice system into one that meets the needs of Maryland's youth, families, and communities. This mission is accomplished by collaborating with all who are involved with the system.

The Unit has access to DJS incident and case notes databases and to DJS internal investigation and grievance documents. Monitors spend significant time gathering information and observing all aspects of operations. We sit in on activities and classes, interview youth, staff and administrators, and review video footage and original incident report documentation. The JJMU issues public reports covering each calendar quarter. These reports include data and analysis concerning treatment of and services provided to youth in DJS detention and placement facilities throughout our state. Formal responses from DJS and the Juvenile Services Education Program (JSEP) (which assumed responsibility for education services in DJS facilities at the end of June 2022) are included within the reports.

The JJMU has been instrumental in driving positive changes in the Maryland juvenile justice system since its formation in the wake of widespread systemic abuse issues. The activities of the independent monitoring agency increase the transparency and accountability of the system and raise awareness of the needs of justice-involved Maryland youth. We will continue to push for the adoption of best practices as we evaluate current and emerging research that serves to both enhance public safety and produce positive outcomes for young people in contact with the juvenile justice system.

## **JJMU Second Quarter 2022 Report Compendium**

The Maryland Juvenile Justice Monitoring Unit (JJMU) issues public reports covering each calendar quarter. The reports include data and analysis concerning treatment of and services provided to children and young people in Maryland Department of Juvenile Services (DJS) directly run and licensed facilities throughout the state. Enclosed please find the unit's compilation of 2022 second quarter reports.

The Maryland Department of Juvenile Services' response and a response from the Juvenile Services Education Program (JSEP) are both included, as indicated on the contents page.

The JJMU 2022 Second Quarter Report was produced by Margi Joshi, Nick Moroney, Tim Snyder, and Marvin Stone. Thanks to Taran Henley, Fritz Schantz, and Maria Welker for technical assistance.

We respectfully submit this report to the Governor, the members of the Maryland General Assembly, the Secretary of the Department of Juvenile Services, and the members of the State Advisory Board for Juvenile Services as required under Maryland law.

Current and prior reports of the Maryland Juvenile Justice Monitoring Unit and related responses are available through our website at:

<http://www.marylandattorneygeneral.gov/Pages/JJM/default.aspx>



**NICK MORONEY**  
*Director*

STATE OF MARYLAND  
JUVENILE JUSTICE MONITORING UNIT

September 2022

The Honorable Lawrence J. Hogan, Jr., Governor  
State of Maryland

The Honorable Bill Ferguson, President of the Senate  
Maryland General Assembly

The Honorable Adrienne A. Jones, Speaker of the House of Delegates  
Maryland General Assembly

The Members of the Maryland General Assembly

The Honorable Sam J. Abed, Secretary  
Department of Juvenile Services

The Members of the State Advisory Board for Juvenile Services  
c/o The Maryland Department of Juvenile Services

Dear Governor Hogan, Senate President Ferguson, Speaker of the House Jones, Members of the General Assembly, Secretary Abed and State Advisory Board Members:

Enclosed is the Juvenile Justice Monitoring Unit's 2022 second quarter report which offers an update on conditions in Department of Juvenile Services' (DJS) operated and licensed facilities. Starting at the end of June 2022, an independent Juvenile Services Education Program (JSEP) Board and recently appointed superintendent took over responsibility for the schools inside DJS detention and placement facilities (see the Education in DJS Facilities section, pages 46-48).

This report includes an update on significant progress made by DJS on juvenile justice reform (see the Juvenile Justice Reform in Maryland section, pages 1-3).

The report also details continuing challenges in regards to DJS detention facility operations (see facility reports for BCJJC, page 20; CYDC, page 25; and Hickey, page 31).

Respectfully submitted,

*Nick Moroney*

Nick Moroney  
Director  
Maryland Juvenile Justice Monitoring Unit

Cc: Attorney General Brian Frosh  
Chief Deputy Attorney General Elizabeth Harris  
Deputy Attorney General Carolyn Quattrocki  
State of Maryland Treasurer's Office  
The Office of the Comptroller of Maryland  
Deputy Secretary Wallis Norman, Mr. Karl Pothier and Mr. Jay Cleary, DJS  
Margi Joshi, Tim Snyder and Marvin Stone, JJMU

# JUVENILE JUSTICE MONITORING UNIT 2022 SECOND QUARTER REPORT

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# JUVENILE JUSTICE REFORM IN MARYLAND

## Juvenile Justice Reform in Maryland

The Department of Juvenile Services (DJS/the Department) in collaboration with juvenile justice stakeholders has made significant strides in improving the lives of justice-involved youth and their families in recent years.<sup>1</sup> Notable accomplishments include:

- Passage of significant juvenile justice reform legislation by the Maryland Assembly during the 2022 legislative session that, among other needed changes, privileges community-based supports and interventions and limits the use of detention and out-of-home placement. The legislation builds on the success DJS has achieved in decreasing the numbers of incarcerated youth and diverting Department resources to community-based programming.<sup>2</sup> This best practice is consistent with research which has demonstrated that incarceration is disruptive to healthy adolescent development and that community-based services are more effective at rehabilitating young people and protecting public safety;<sup>3</sup>
- Passage of an education bill for incarcerated young people in DJS facilities that transfers operational control of education services to an independent school board that is dedicated to increasing the quality of school services and improving transparency and accountability within the school system;<sup>4</sup>
- Movement away from a compliance-driven and often punitive approach to rehabilitative services in DJS placement sites toward a more holistic, research-supported, trauma-informed, culturally-responsive approach that incorporates evidence-based therapies and youth and family voice.<sup>5</sup>

Challenges remain to ensure that the juvenile justice system is fair, equitable, and responsive to youth and family needs.

- ☒ Maryland continues to automatically charge youth as adults for certain acts despite a growing recognition that treating kids as adults and pushing them into the adult criminal justice system endangers their physical and mental well-being, exacerbates trauma and fails to protect public safety. Maryland prosecutes more children in the adult system than any other state with the exception of Alabama, and Maryland youth of color are

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<sup>1</sup> For more information, see [THE MARYLAND DEPARTMENT OF JUVENILE SERVICES: A DECADE OF SUSTAINED SUCCESS](#)

<sup>2</sup> Ibid.

<sup>3</sup> For a thorough synopsis of the juvenile justice reform bill and other important juvenile justice-related legislation, see [Department of Juvenile Services \(DJS\) End of Session Report:2022 Legislative Session of the Maryland General Assembly](#)

<sup>4</sup> See [Juvenile Services Education Program \(JSEP\) and Board \(maryland.gov\)](#)

<sup>5</sup> For more information, see [Maryland DJS Comprehensive Treatment Model | CJJA](#)



disproportionately tried in adult court.<sup>6</sup> As federal leaders in juvenile justice issues have recognized:

Children do not belong in adult courts, jails, and prisons. Research indicates that youth whose cases are prosecuted in adult criminal court are more likely to be rearrested and have higher recidivism rates than youth in the juvenile justice system.

Research also shows that the average person's brain is not fully developed until their mid-20s. Consequently, adolescents are prone to impulsive, emotional, and risk-taking behavior.

Because their developing brains are more malleable than those of adults, young people are also more capable of change and rehabilitation.<sup>7</sup>

- ☒ Maryland's juvenile detention centers, especially the largest three detention centers in the state (BCJJC, Hickey, and CYDC), continue to expose kids to unsafe and dangerous conditions (see BCJJC, page 20) and are guided by a corrections and compliance-oriented mindset rather than a child-centered approach. Staffing issues at detention sites, including low morale and high rates of burnout and attrition, are not being acknowledged or adequately addressed by DJS leadership (see CYDC, page 25).
- ☒ Severely mentally ill youth continue to be inappropriately sent to detention where their conditions often worsen (see Hickey, page 31 and CYDC, page 25).
- ☒ DJS committed placement sites are located in remote areas far from youth families and communities, and youth requests to change family engagement policies that would require that facilities provide youth with more phone/video contact with loved ones have not been consistently accommodated.

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<sup>6</sup> See Maryland Juvenile Justice Reform Council Supplemental Report (page 11), available at: [Juvenile Justice Reform Council Supplemental Report \(maryland.gov\)](#)

<sup>7</sup> [OJJDP Priorities | Office of Juvenile Justice and Delinquency Prevention \(ojp.gov\)](#)

# **COVID-19 RESPONSE IN JUVENILE SERVICES' FACILITIES**

## COVID-19 Response in Juvenile Services' Facilities

COVID-19 outbreaks still occur with frequency in DJS facilities and continue to cause significant hardship for incarcerated youth. Restrictions due to the pandemic at DJS facilities include the following:

- ☒ Youth who test positive for COVID-19 are placed in medical isolation and are required to stay inside their cell for 23 hours per day for between 5-10 days. In addition to the fear and physical malaise (for symptomatic youth) that accompanies infection, isolation can lead to severe psychological distress. Moreover, a significant percentage of youth in DJS custody have histories of trauma and have been diagnosed with mental disorders which can make them more vulnerable to the harmful effects of prolonged isolation.
  
- ☒ New admission youth inside DJS facilities are required to spend time in quarantine areas upon arrival. In addition, youth exposed to COVID-19 positive staff are required to spend a period of time in quarantine. During quarantine, movement is severely restricted and youth are required to eat, sleep, do school work and to spend leisure time in their pod or residential unit. On some days, youth are permitted up to an hour either in the gym, outside on facility grounds or inside walled areas of facilities open to the sky. However, the granting of outdoor-based recreation is dependent on the presence of adequate staffing numbers and on the outside temperature being below 90 degrees. In-person visitation is prohibited for youth on quarantine. Quarantine is also disruptive to school progress as students miss the opportunity to have in-person instruction.
  
- ☒ Youth across all DJS facilities cite lack of sufficient family contact. At the height of the initial wave of the pandemic, young people incarcerated in DJS facilities were allocated an allowance of three free calls utilizing a for-profit prison communications company (GTL) that the State contracts with and pays to provide phone service to people in prisons and jails. Additionally youth were allowed three 15-20 minute calls (with a virtual call option for parents who opt-in) facilitated by DJS case managers. Administrators at DJS headquarters have reduced the number of free phone calls home that youth are allowed to make through GTL from the three-call allowance that incarcerated young people were allowed to make earlier in the pandemic. According to the administrators, the change was prompted by cost and the terms of the state contract with GTL. Youth now receive two 10-minute phone calls through the GTL phone system.

The number of 15-minute phone calls/virtual contact facilitated by case management was also reduced from three instances to two instances. The Department needs to increase the frequency and duration of phone contact that youth receive.<sup>8</sup>

- ☒ Basic hygiene services such as haircuts and hair care services are not consistently offered because of COVID-19 testing requirements. At Victor Cullen, for example, a youth wrote a grievance which stated that, “Barber hasn’t been here for months. I’m begging for a haircut” (Grievance 17591). This sentiment is frequently voiced to monitors by incarcerated youth across all DJS facilities.
  
- ☒ Excessive downtime is an ongoing issue at DJS facilities that has only been exacerbated with COVID-19 restrictions and youth frequently report feelings of boredom due to the lack of opportunities for creative and constructive engagement. In-person volunteer programming has not returned to pre-COVID levels and programs that do exist are inconsistent due to testing requirements and frequent outbreak status at facilities during which outside visitors are prohibited. Facilities have had a hard time creating and implementing in-house structured activities on a consistent basis. The Department should develop a wide range of COVID-19 acceptable activities based on youth interest, provide facilities with the resources necessary to carry out these activities, and closely monitor facility programming to ensure that facility activity schedules are being adhered to and that youth are being provided access to programs that are developed.

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<sup>8</sup> Some jurisdictions, recognizing that “constant contact reduces recidivism and the potential for violence while detained” have authorized juvenile detainees to receive unlimited free phone calls to their families. See [San Diego Jail Approves Free Phone and Video Calls | Prison Legal News](#)

## DJS Secure Detention Centers

Short-term, pre-disposition/pending placement

- Baltimore City Juvenile Justice Center (BCJJC)
- Cheltenham Youth Detention Center (CYDC)
- Charles H. Hickey, Jr., School (Hickey)
- Alfred D. Noyes Children's Center (Noyes)
- Western Maryland Children's Center (WMCC)
- Lower Eastern Shore Children's Center (LESCC)

## DJS Committed Placement Centers

Long-term, post-disposition

- Victor Cullen Center (Cullen)
- Garrett Children's Center (GCC)
- Backbone Mountain and Green Ridge youth centers (two youth centers)
- Silver Oak Academy (SOA – DJS Licensed)

## Incident and Population Trends

Second quarter 2022 population and incident trends versus second quarter of 2021:

- ✓ Average daily population (ADP) of young people decreased at Noyes secure detention center for girls and in committed placement at Cullen.
- ✓ Youth on youth fights and assaults decreased in secure detention at Noyes.
- ✓ Physical restraints decreased in committed placement at Cullen and the two youth centers.
- ✓ The use of mechanical restraints (handcuffs and/or leg irons) inside facilities decreased in committed placement at Cullen and the two youth centers. Mechanical restraints were not used inside LESCC secure detention center.
- ✓ Seclusion was not used at LESCC secure detention center.
- Average daily population (ADP) of young people increased at all DJS-operated detention centers with the exception of the Noyes facility for girls and also increased in committed placement at the two youth centers.
- Youth on youth fights increased in secure detention at BCJJC, CYDC, Hickey and WMCC and in committed placement at the two youth centers.
- Physical restraints increased at all DJS-operated secure detention centers.
- Mechanical restraints usage inside facilities increased at all DJS-operated secure detention centers except for LESCC (which did not use mechanical restraints on youth during the quarter).
- Seclusions increased at all DJS-operated secure detention centers except for LESCC (which did not use seclusion during the quarter).
- There were 33 incidents involving suicide ideation and 24 incidents of self-injurious behavior reported from DJS-operated facilities during the second quarter of 2022 compared to 18 incidents of suicide ideation and 8 incidents of self-injurious behavior at the same time last year.

# COMMITTED PLACEMENT

**Victor Cullen Center**

The Victor Cullen Center (Cullen), in Frederick County, is a hardware secure (locked and fenced) committed placement center owned and operated by the Maryland Department of Juvenile Services (DJS/the Department). The DJS-rated housing capacity is 24 boys. African American or Black youth represented 84% of total entries during the second quarter of 2022 compared to 43% in the second quarter of 2021. Hispanic/Latino youth represented 8% of youth entries during the current reporting period compared to 14% during the same time in 2021.

<b>Victor Cullen – Selected Incident Categories</b>	<b>Q2 2020</b>	<b>Q2 2021</b>	<b>Q2 2022</b>
<b>Average Daily Population (ADP)</b>	<b>15</b>	<b>14</b>	<b>13</b>
1. Youth on Youth Assault/Fight	10	3	3
2. Alleged Youth on Staff Assault	4	2	3
3. Physical Restraint	39	16	2
4. Use of Handcuffs and/or Shackles	20	11	1
5. Seclusion	11	4	0
6. Contraband	0	0	4
7. Suicide Ideation	0	1	0
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	0	0

Average daily population (ADP) at Victor Cullen decreased slightly (from 14 to 13) during the second quarter of 2022 compared to the second quarter of 2021. The number of incidents involving youth on youth fights or assaults remained low and there were sizable reductions in the number of physical restraints of youth by staff, use of mechanical restraints (handcuffs and/or leg irons) on youth by staff inside the facility and in incidents of seclusion.

Leadership at Victor Cullen has made concerted efforts toward improving the culture at the facility. Positive highlights include:

- ✓ Sustained low number of incidents, including low numbers of fights and assaults and use of restraints at the facility;
- ✓ Stabilized mental health staffing (which in the past has been plagued with frequent turnover and large numbers of vacancies) that has helped to provide young people with consistent support and therapeutic services;
- ✓ Expanded offerings of structured activities such as bike rides, arts and crafts, pickle ball and other outdoor activities as well as youth tournaments to help keep youth engaged during downtime;
- ✓ Continued success in helping young people obtain their GED and enroll and complete online community college courses. Cullen had two recent high school graduates and one student who completed a semester of community college level courses with high marks. A dedicated guidance counselor in the education department has been instrumental in helping youth in this regard and also in making available laptops upon release for enrolled community college students so that they have the tools to continue their academic progress while in their home communities;
- ✓ Coordination between education staff and DJS to provide some youths with the use of technical resources on the residential units such as tablets and computers so as to avoid disruption in education services during periods when school is not in session or when youth are in quarantine;
- ✓ Exploration of options to bring in-person college-level courses to the facility;
- ✓ Acknowledgment of youth achievement through graduation and program completion ceremonies;
- ✓ Family engagement opportunities through special events such as a Mother's Day party and program;
- ✓ Solicitation of youth feedback through exit interviews of youth completing the program to help improve services and program responsiveness.

As administrators continue to work to enhance the program, emphasis should be placed on the following concerns:



- Youth want more contact and a better relationship with administrators on an ongoing basis. According to one youth, they would like to be able to talk to administration more “and not just when we are in trouble”. Youth also suggested better communication between administration and direct-care staff so that there is more consistency with program rules and requirements.
- Young people still report an emphasis on points and compliance which creates tension and power struggles between youth and staff. In addition, incentives are not always provided in a timely manner which undermines program effectiveness. Cullen developed a “coupon” program to supplement the points and levels behavior management system so that youth could earn extra incentives, however, the program is not well understood by youth or staff and many youth say it is impossible to earn enough coupons to get many of the incentives listed (which also undermines the program’s effectiveness in motivating positive behavior). The Department’s move away from a compliance-oriented placement program toward a more holistic, individualized, and therapeutic-oriented approach should hopefully address some of these issues.<sup>9</sup>
- Basic services such as consistent access to barbering services, and basic needs such as apparel (e.g. pajamas) were not provided throughout the quarter. An assistant administrator is in charge of providing basic needs to youth, however access to these items can be delayed when the administrator is absent from the facility. In addition, youth reported that meals were served cold and unseasoned. A quality assurance and quality control system should be developed to ensure youth have access to necessary clothing and hygiene items, consistent hair care, and quality food services.
- Mental health services should continue to be bolstered. A vacancy for a mental health clinician should be filled without delay. In addition, existing resources should be sustained. The designated therapy dog assigned to the facility was frequently absent during monitoring visits during the quarter even as youth have continually asked for the dog’s assistance to help with anxiety and coping. The worker in charge of taking care of the dog was transferred to another role within DJS, and arrangements have not been made to ensure the dog is available for interactions with youth.
- Staff professionalism continues to be an issue at Cullen. During the second quarter, a teacher stated in front of a student who was being addressed about his improper use of

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<sup>9</sup> See [Maryland DJS Comprehensive Treatment Model | CJJA](#)

his Chromebook, "It's every [expletive] day with him . . . it's always the same [expletive] issues." The teacher then walked out of the classroom and exited the facility.

For more information on education-related issues in DJS facilities, including a recent change on education service providers, see the section on pages 46-48.

**Garrett Children’s Center**

The Garrett Children’s Center (GCC) facility, located in Alleghany County, is a Department of Juvenile Services (DJS/the Department) owned and operated hardware secure (locked and fenced) committed placement center for boys with a DJS-rated capacity of 24. There were no youth placed at GCC during the second quarter of 2022.

<b>GCC</b>	<b>Q2 2020</b>	<b>Q2 2021</b>	<b>Q2 2022</b>
<b>Average Daily Population (ADP)</b>	<b>4</b>	<b>N/A</b>	<b>N/A</b>
1. Youth on Youth Assault/Fight	6	N/A	N/A
2. Alleged Youth on Staff Assault	0	N/A	N/A
3. Physical Restraint	6	N/A	N/A
4. Use of Handcuffs and/or Shackles	2	N/A	N/A
5. Seclusion	1	N/A	N/A
6. Contraband	4	N/A	N/A
7. Suicide Ideation	0	N/A	N/A
8. Suicide Attempt	0	N/A	N/A
9. Self-Injurious Behavior	0	N/A	N/A

The state of Maryland spent close to \$6 million dollars to add fencing, locks and other security apparatus to convert the remotely located staff secure Savage Mountain Youth Center into a more prison-like hardware secure facility (renamed the Garrett Children’s Center). Garrett Children’s Center was operational for approximately 2 years (from December of 2018 to December of 2020) before it closed to youth in 2021 following a COVID-19 outbreak at the

facility. However, the facility still retains staff that report on-site, including teachers who provide online courses for those DJS schools that lack certified teachers in core content areas. An assistant superintendent position has recently been filled and a search is ongoing for a superintendent.

Fiscal and human resources spent on keeping the empty facility running would be more effectively spent on further increasing the availability of community-based programming for young people. As experts in juvenile justice have recognized, “youth incarceration has several negative outcomes, including association with more delinquent peers and increased criminal behavior and recidivism. Closing underutilized juvenile correctional facilities and reinvesting the savings into evidence-based programs and services keeps young people out of the system, in school, and connected to their families.”<sup>10</sup>

For more information on education-related issues in DJS facilities, see the section on pages 46-48.

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<sup>10</sup> Office of Juvenile Justice and Delinquency Prevention (OJJDP), OJJDP Priorities, available at [OJJDP Priorities | Office of Juvenile Justice and Delinquency Prevention \(ojp.gov\)](#)

## Youth Centers x2

The youth centers, located in remote western Maryland, consist of Green Ridge and Backbone Mountain, two separate staff secure (not fenced and locked) facilities for up to 42 boys. Each of the centers is owned and operated by the Maryland Department of Juvenile Services (DJS/the Department). African American or Black youth represented 85% of total youth center entries in the first quarter of 2022 compared to 76% during the same time period in 2021.

<b>Combined Youth Centers (x2) – Selected Incident Categories</b>	<b>Q2 2020</b>	<b>Q2 2021</b>	<b>Q2 2022</b>
<b>Average Daily Population (ADP)</b>	<b>33</b>	<b>25</b>	<b>34</b>
1. Youth on Youth Assault/Fight	2	7	20
2. Alleged Youth on Staff Assault	4	4	3
3. Physical Restraint	42	57	45
4. Use of Handcuffs and/or Shackles	14	15	1
5. Seclusion	0	0	0
6. Contraband	2	3	3
7. Suicide Ideation	1	1	3
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	0	0

Average daily population (ADP) at the youth centers increased by 36% in the second quarter of 2022 compared to the second quarter of 2021, while youth fights and assaults increased almost threefold when comparing the same two time periods. Physical restraints of youth by staff decreased by 21% during the quarter compared to the same time last year. There was also a sizeable decrease in the use of mechanical restraints (handcuffs and/or leg irons) on

youth by staff inside facilities when comparing the two time periods. Mechanical restraints were used once in the second quarter of 2022 (compared to 15 times in the second quarter of 2021).

The majority of youth fights and assaults and physical restraints occurred at Green Ridge Youth Center. There were 16 youth on youth fights and assaults and 37 physical restraints of youth by staff at Green Ridge during the current quarter.

Two different staffers in two separate incidents at Green Ridge reported feeling worried about retaliation for reporting alleged abuse at the facility. In Incident 170284, a staffer at Green Ridge reported that he witnessed another staffer hitting a youth during a physical restraint and threatening the youth afterwards. Per Department policy, the allegation was investigated by the Department's internal investigation unit (DJS Office of the Inspector General [DJS OIG]). During an interview with the investigator regarding the allegation, the reporting staffer stated that "he is very concerned with retaliation regarding his allegation report". He also reported to the investigator that he felt uncomfortable because other youth somehow became aware that he made the allegation and asked him why he was a "snitch on staff".

In Incident 170401, a staffer made an allegation of staff misconduct involving supervisory staff. During an interview with DJS OIG, the staffer stated "she feared retaliation" and "believed that [other] staff are aware that she made the allegation because the youth know she did."

Administrators at Green Ridge should work to promote a culture in which staff feel safe in fulfilling their duty as mandated reporters of potential mistreatment of youth.

The Department plans to adopt a cohesive treatment model at its placement sites that is grounded in evidence-based approaches, best practices and youth voice.<sup>11</sup> With successful adoption and implementation of the model, services and interventions will be individualized to each child's particular situation and circumstances.

Excessive boredom and downtime is an issue at DJS-committed placement sites (and DJS-operated detention centers), and youth are eager to participate in planned activities on and off-campus that would keep them constructively engaged.

During monitoring visits, youth frequently state the need for expanded career and technical education options and for work and internship experiences that will lead to sustainable employment upon release.

The implementation of a comprehensive treatment model should incorporate youth requests as well as robust vocational options and plentiful outlets for recreation and enrichment.

For information on education services in DJS facilities, see pages 46-48.

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<sup>11</sup> For more information about the proposed program, see [Maryland DJS Comprehensive Treatment Model | CJJA](#)  
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## Silver Oak Academy

Silver Oak Academy (SOA), located in Carroll County, is a privately-operated staff secure (not locked and fenced) committed placement center licensed by the Department of Juvenile Services (DJS/the Department) to house up to 96 boys. African American or Black youth placed at Silver Oak through DJS represented 88% of youth entries in the second quarter of 2022.

<b>SOA – Selected Incident Categories</b>	<b>Q2 2020</b>	<b>Q2 2021</b>	<b>Q2 2022</b>
<b>Average Daily Population (ADP)</b>	<b>25</b>	<b>15</b>	<b>10<sup>12</sup></b>
1. Youth on Youth Assault/Fight	6	9	1
2. Alleged Youth on Staff Assault	0	1	1
3. Physical Restraint	6	9	3
4. Use of Handcuffs and/or Shackles	0	0	0
5. Seclusion	0	0	0
6. Contraband	2	1	1
7. Suicide Ideation	0	0	1
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	0	0

Excessive use of force by staff and staff supervision issues persisted through the second quarter of 2022. In Incident 170515/170545, a staffer placed his entire body weight on

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<sup>12</sup> ADP reflects the average number of residential youth placed at Silver Oak through DJS and out-of-state jurisdictions for the months of April and May of 2022. Residential youth placed at Silver Oak were removed from the program in May of 2022 due to concerns about facility and school operations. Silver Oak also operates a day school, however these students are not included in the ADP count.

top of a youth who was in a prone position and remained on top of the youth for 4 minutes and 30 seconds while the youth stated to the staffer that he couldn't breathe. The staffer was referred to Child Protective Services (CPS) in Carroll County and Maryland State Police, however no substantive investigative action was taken by CPS or police in regard to staff conduct.

In Incident 170198, an experienced staff member supervising a group of youth in the student lounge exited to use the restroom, leaving youth to be supervised by two newly-hired and uncertified staff. Three youth assaulted another youth while the experienced staffer was out of the area and repeatedly kicked and punched the youth and struck him with a pool cue. The inexperienced staff did not immediately intervene to physically separate the youths from each other, however other youth got involved to de-escalate the situation and stop the fight. The youth who was assaulted had a bloody nose, a gash at the back of his head, and bruising to his body and was transported to a hospital for evaluation.

An education audit of school operations by the Maryland State Department of Education (MSDE) determined that the school at Silver Oak falsified student records and that non-certified teachers were teaching high school classes.

Due to safety concerns and education issues at Silver Oak, all residential youth were removed from the program during May of 2022, and new admissions to the program through DJS have halted. At time of writing (August 1, 2022), there are no students in residence at Silver Oak, although the facility still serves a small number of day students from surrounding areas.



# DETENTION CENTERS

## Baltimore City Juvenile Justice Center

The Baltimore City Juvenile Justice Center (BCJJC) is a maximum security detention center for boys. The Maryland Department of Juvenile Services (DJS/the Department) owns and operates BCJJC, which has a DJS-rated housing capacity of 120 youth. African American or Black youth represented 92% of total youth entries during the second quarter of 2022, compared to 86% during the same time period in 2021.

<b>BCJJC – Selected Incident Categories</b>	<b>Q2 2020</b>	<b>Q2 2021</b>	<b>Q2 2022</b>
<b>Average Daily Population (ADP)</b>	<b>44</b>	<b>35</b>	<b>61</b>
1. Youth on Youth Assault/Fight	30	33	61
2. Alleged Youth on Staff Assault	6	4	7
3. Physical Restraint	35	45	71
4. Use of Handcuffs and/or Shackles	9	12	21
5. Seclusion	3	16	36
6. Contraband	3	0	4
7. Suicide Ideation	1	2	8
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	2	1	2

Average daily population (ADP) at BCJJC during the second quarter of 2022 increased by 74% when compared to the second quarter of 2021. Comparing the same time periods, youth on youth fights and assaults increased by approximately 85%, instances of physical restraints of youth by staff increased by 58%, the use of mechanical restraints (handcuffs and/or shackles) on youth inside the detention facility increased by 75%, the use of seclusion more than doubled, and incidents involving suicide ideation quadrupled.

BCJJC continues to operate as a prison-like environment where administrators and staff have failed to maintain stability and structure and young people are exposed to a dangerous and often chaotic environment.

### Physical Plant

The physical plant at BCJJC is a reflection of the underlying culture. Youth cells and units were not well-kept during the quarter and graffiti adorned the walls of youth cells. The pictures below were taken in youth rooms during the quarter.



## **Youth Safety**

Youth at BCJJC are at risk for serious physical harm due to the chaotic environment.

In Incident 170143, a youth was assaulted at the facility by several other youth on his residential unit. The youth was kicked in the face and head multiple times and a trash can and hygiene container was used to continue to hit the youth as he lay on the floor from the attack. Staff assistance to help quell the assault was delayed because the wrong unit location was provided to staff responding to the incident. The youth was transported to a hospital as a result of the extensive injuries to his face, including to his eye and his teeth (several of which were knocked out).

In Incident 170384, a youth sustained significant injuries when he was punched in the face during an unprovoked attack. Immediately following the assault, the victim started having seizures. The victim was escorted off grounds to a hospital emergency room where it was discovered that he had suffered a serious orbital fracture.

Failure to monitor youth movement led to a group fight between two units during the quarter. In Incident 170883, students from one unit were walking to a classroom in the school hallway. A youth inside another classroom saw the group walking by and was able to walk out past staff posted at the door and exit the classroom and assault a peer from the other unit. Two staff seated in the classroom did not initially get up out of their seats and redirect the youth who had stood up and was walking toward the door. Other students followed the youth who exited the classroom and subsequently multiple fights erupted between the youth from the classroom and the youth in the school hallway.

The automatic door locks malfunctioned throughout the facility for a month during the second quarter, and youth movement was severely restricted as a result. Youth received meals and school services on the unit. Access to teacher-led instruction and assistance with school work was limited to 15 minutes at the beginning of class periods when teachers dropped off work for youth to do.

## **Contraband**

The flow of contraband (including drugs) into BCJJC remains an ongoing concern as demonstrated by the case of a youth currently placed at another DJS facility.

In Incident 170963, staff at Victor Cullen (Cullen) placement center noticed what appeared to be contraband being passed between a youth and a visitor during visitation hours. The youth was searched by facility staff and a pill was recovered. The pill was later identified as containing oxycodone and the youth tested positive for oxycodone.

After the contraband was found by Cullen staff, the youth reported the following:

"I am surprised your staff caught it, down at Babies (BCJJC) my brother was bringing me in 5 to 10 strips of suboxone at a time during his visitation and we never got caught. I was high down there all the time."

### **Dietary, Programming and Hygiene Needs**

BCJJC struggles to meet the basic needs of youth which contributes to the prison-like environment. Youth reported the following concerns during the quarter:

- Dietary staff serving moldy food (Grievance 17501) and failing to serve meals that account for youth dietary restrictions/allergies.
- Long periods without barbering services.
- Popular programming options are not provided consistently. A parenting group for young fathers was discontinued after a few sessions and a music studio built for youth had yet to be been utilized at time of writing (August of 2022). Youth on one unit could not watch television for a prolonged period during the quarter. Excessive downtime is especially prevalent on weekends. Existing resources such as an on-site games room should be made available all youth in turn to help keep kids constructively engaged.
- Rationed amounts of sub-par hygiene products such as soap and lotion do not allow youth to effectively maintain personal hygiene. As one youth stated to a monitor, "we are tired of smelling." The picture below shows how personal hygiene products (toothbrush, toothpaste, liquid soap) are rationed and provided to youth:



## **Education**

Operational control of education services in DJS facilities was permanently transferred at the end of the second quarter from the Maryland State Department of Education (MSDE) to an independent school board. The new school system is referred to as the Juvenile Services Education Program (JSEP). A superintendent was hired by the board and is responsible for helping to create and implement JSEP policies and for overseeing school operations.

Education services continue to be disrupted for incarcerated youth due to the COVID-19 pandemic. In the second quarter, youth were periodically placed on quarantine after exposure to COVID-19 and were given education-related packet work to complete on their own in lieu of instruction.

The new JSEP superintendent has been working with DJS resources and personnel to provide internet access to youth on the living units at BCJJC. At time for writing (August 2022), youth on quarantine were using Chromebooks and had access to the internet to facilitate virtual education.

JSEP is chronically understaffed, including at the school at BCJJC. Vacancies for guidance counselors and math, science and special education teachers remain unfilled. On occasion, school has ended early because of a lack of teachers.

For more information on the change in education service provider and other education-related issues in DJS facilities, see pages 46-48.

## Cheltenham Youth Detention Center

Cheltenham Youth Detention Center (CYDC), located in Prince George’s County, is a hardware secure (locked and fenced) detention center owned and operated by the Department of Juvenile Services (DJS/the Department). The DJS-rated housing capacity is 72 boys. African American or Black youth represented 74% of total youth entries in the second quarter of 2022 versus 71% during the same period in 2021. Hispanic/Latino youth represented 11% of entries during the second quarter of 2022, a decrease of 6% when compared with the same period last year.

<b>CYDC– Selected Incident Categories</b>	<b>Q2 2020</b>	<b>Q2 2021</b>	<b>Q2 2022</b>
<b>Average Daily Population (ADP)</b>	<b>37</b>	<b>28</b>	<b>34<sup>13</sup></b>
1. Youth on Youth Assault/Fight	27	13	15
2. Alleged Youth on Staff Assault	2	1	5
3. Physical Restraint	38	29	38
4. Use of Handcuffs and/or Shackles	0	0	4
5. Seclusion	6	5	15
6. Contraband	4	1	2
7. Suicide Ideation	1	2	4
8. Suicide Attempt	0	1	0
9. Self-Injurious Behavior	1	4	20

<sup>13</sup> Girls from Noyes were temporarily housed at (and Noyes staff were temporarily re-assigned to) CYDC in April and May of 2022 due to maintenance issues with the AC handler unit at the Noyes facility. The chart reflects the average daily population of boys at Cheltenham. ADP of girls in detention during the second quarter of 2022 is represented under the Noyes facility chart located at page 37.

Average daily population in the second quarter of 2022 increased by 21% when compared to the second quarter of 2021. During the same time period, youth fights and assaults increased by 15%, physical restraints of youth by staff increased by 31%, use of mechanical restraints (handcuffs and/or leg irons) on youth inside the facility went from zero instances in the second quarter of 2021 to four instances in the second quarter of 2022, and use of seclusion tripled. In addition, there were 20 incidents involving self-injurious behavior in the second quarter of 2022 compared to 4 incidents in the second quarter of 2021.

## **Staffing**

An interim superintendent was assigned at Cheltenham from January of 2022 until August of 2022 after a critical incident in December of 2021 left the head administrator severely injured. Staffing levels had deteriorated during the fourth quarter of 2021, and the head administrator at the facility was required to be in coverage because of low staffing levels. He sustained a head injury on a living unit while trying to break up a fight and left the facility to go to a hospital. There were not enough staff available to assist in controlling the incident, and youth on the unit were left on their own without staff for hours as the facility waited for assistance from local police (Incident 169200).

Even though the youth population has been capped in an effort to help the facility better manage daily operations, at time of writing (August 2022) staffing issues remain extremely problematic at CYDC. Multiple experienced front-line and supervisory staff resigned during the first and second quarters of 2022, and staffers remaining at the facility continue to voice concerns to a monitor about facility safety due to inadequate staffing levels, staff burnout, low morale, and lack of faith in leadership. While there may be adequate staff “on the books”, there are not enough direct-care staff reporting for work. Direct-care staff who report to the facility are working 4 to 5 double shifts (or as much as 40 hours of overtime per week) in order to reach the minimal level of staff coverage required by DJS policy.

Inadequate numbers of staff reporting for work negatively impacts facility safety and compromises youth supervision and services. After the incident described below, a supervisor detailed how the lack of available staffing contributed to a lapse in adherence to seclusion procedures designed to protect youth.

In Incident 170417, a trainee was put in charge of a group of youth on a residential unit during evening hours when two youths began engaging in nuisance behaviors such as taking the remote control for the unit radio and sitting at the staff desk and answering the unit phone. When the staff confiscated a youth’s MP3 player that was being used to play music on the unit, the youth responded by throwing papers on the floor and tipping over a chair. A supervisor was called to the unit and the two challenging youth were placed on seclusion for two hours until the 9 pm lock-in for bedtime. The youth remained locked in their cells overnight and were not allowed out for evening showers. During this time, one of the youth allegedly began flooding his cell and throwing feces and urine under the door. Staff did not follow seclusion protocols and the youth were not checked on in 10-minute intervals while on seclusion nor was medical or behavioral



health notified of the seclusion. Required assessments by medical and behavioral health staff were not conducted in a timely manner per DJS seclusion policy.<sup>14</sup>

The supervisor on duty was subsequently interviewed by the Department's internal investigation unit (Office of Inspector General [DJS OIG]) regarding the incident. During the interview, the supervisor noted the following:

- The day of the incident was “a stupid, busy day, real severe staff shortage” and that the facility “had visitation going on, meals to be distributed, and an intake coming in with no staff available to search and process the youth.”
- There was only one female trainee staffer on the unit during the incident and youth were “well aware that CYDC is short-staffed.” The supervisor reiterated this point throughout the interview.
- The trainee was overwhelmed and “almost in tears” after the incident and the supervisor had to replace the staffer with another direct-care staff person which further exacerbated the staffing issue.
- The supervisor stated during the interview “that she has been acting out of capacity for two months now with no compensation and she is having to make decisions outside the scope of her responsibility.” She also stated “that she was the only supervisor on duty that shift and that it was hard to sit down to send an email or make a phone call.” She stated that “she just ‘ran out of time with starting seclusion paperwork’ because there was so much going on that day.”
- The supervisor also said that “the youth were playing ‘keep away with the phone from the RA staff,’ and that when there is only one staff per six (6) youth, it is pretty easy for them to do it.”

Seclusion protocols were also not adhered to in the following incidents:

In Incident 170503, youth were held in seclusion for over four hours following a group skirmish. Observation reports from direct-care staff and medical staff document that the youth were lying down, sitting calmly, and following directions for the majority of the time on seclusion. However, the shift commander continued to authorize seclusion for the youth even though DJS policy requires that youth be removed from seclusion when they no longer present an imminent threat of physical harm to themselves or others.<sup>15</sup>

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<sup>14</sup> DJS Policy RF-720-18 – Seclusion

<sup>15</sup> DJS Policy RF-720-18 – Seclusion

In Incident 170649, a youth was kept in seclusion for four hours. The shift commander documented that she visited the youth on seclusion at 5:45 pm and 6:45 pm and wrote that least restrictive measures were not possible as the reason for continued seclusion. The shift commander can be seen on video at 5:30 pm doing a brief visual check on the youth but there are no signs of processing with him about the incident. Despite documenting otherwise, there is no sign of the shift commander coming to check on the youth between 5:30 and 7:35 pm. The youth was finally released from seclusion by a staffer on the unit around 7:35 pm.

Serious lapses in supervision of youth and in oversight of staff were also prevalent during the second quarter, as indicated by the following incidents.

In Incident 170822, a staff member enlisted youth assistance to make a bed in the unit movie room using a mattress from the unit and a pillow. The staffer could be observed on video sleeping in the bed with an eye mask on during overnight hours between 12:00 am and 4:00 am. A supervisor was not observed entering the unit during this time to check on youth or staff.

In Incident 170921, a case manager was in his office when he got up from his desk, walked out and into another room where a youth was sitting. The case manager yanked the youth's chair out from under him, causing the youth to fall to the ground. Shortly afterward, the case manager confronted the youth face to face and initiated an inappropriate and dangerous restraint by lifting the youth off the ground completely and carrying him to his room. Staff witness statements did not document the inappropriate restraint or the case manager's role in creating and escalating the incident. Supervisors continue to rely on this same case manager to assist with youth restraints (for example, Incident 17125).

Shift supervisors at the facility are responsible for reviewing and commenting on incidents. Comments "must include critique of how staff handled the incident, whether decisions/action could have improved, or whether staff did an exceptionally good job". The shift commander incorrectly noted for the above incident that staff "followed all policy and procedures".

### **Youth with High Mental Health Needs Incarcerated in Detention Facilities**

Kids requiring hospitalization due to high levels of mental health needs continue to be inappropriately locked-up in corrections-oriented juvenile detention centers. The Department of Juvenile Services is not the appropriate state agency to help address the needs of and challenges facing these youth.

Two boys housed at CYDC with severe mental health issues during the quarter struggled psychologically and behaviorally while in a detention environment. One child suffered from auditory hallucinations and repetitive thoughts of hurting himself which he impulsively acted on by seeking out objects such as pieces of paper and plastic, cards, and even his own fingernails to self-harm (Incidents 170791, 170790, 170760, 170762, 170763, 170923, 170922, 170920, 170786, 170624, 170611, 170318, and 170601).

The boy was originally court ordered to be housed on the infirmary, but even after the order expired, the Department chose to keep him on the infirmary citing safety concerns with integrating the child with other youth. In Grievance 17607, the youth reported that he wanted to have more contact with other youth, stating that, "I am writing because I've been on the infirmary for 3 months I have been lonely, I want to go to a regular unit so that I am able to interact with my fellow peers". The grievance noted that the youth wrote two additional grievances regarding the same issue.

A mental health clinician responded to the youth grievance by acknowledging that detention is not an appropriate setting for this child. The clinician stated the following:

It is not clinically appropriate for [the youth] to be in detention at this time. This finding is based on our daily assessments of him and the recommendations of qualified hospital-based evaluators. We have expressed this repeatedly to court parties and DJS higher-ups, nonetheless, [the youth] has continued to sit in detention, where he does not have access to the level of treatment that is necessary and indicated for his present level of psychiatric functioning. When [the youth] first came to CYDC, he was court-ordered to be housed on the infirmary. Even while there, on SWL II [suicide watch, level two], with a one-to-one staff, he consistently engaged in self-harming behavior using a range of materials (writing utensils, paper, milk container, fingernails, playing cards, etc.). [The youth] experiences active audio hallucinations and has extensive cognitive limitations, including significant verbal impairment. This has made it incredibly difficult for him to learn and retain more adaptive skills for tolerating distress and regulating emotions in this environment. Please note that it remains our clinical recommendation that [the youth] be moved immediately to a facility where he can have consistent access to treatment and receive clinically appropriate support in establishing and maintaining safety-aligned behaviors.

Another youth housed on the infirmary with the youth mentioned above had frequent bouts of suicide ideation and was prone to impulsively grabbing objects such as pens, cards, and other available objects in order to stab himself in the neck and cut his wrists. This youth also had to be stopped from banging his head against a wall (Incidents 170627, 170804, 170393, 170285, 170175, 170180, and 170193). The second youth was integrated into a living unit with other youth after complaints from various concerned parties about his separation from peers.

Direct care staff at DJS detention and placement facilities do not receive specialized training in preventing, managing and treating severely agitated youth who may be prone to experiencing mental health crises due to their underlying psychiatric conditions. Detention centers lack specialized resources and the particular professional clinical expertise and clinical staffing levels necessary to address the needs of this population and instead rely on physical and mechanical restraints, social isolation from peers, and seclusion to manage youth behavior.

The Maryland juvenile justice system cannot become a default component of the State mental health system. Maryland state government and its various departments need to comprehensively address the current severe shortages affecting in-patient psychiatric facilities. The lack of treatment resources for mentally ill children are causing delays in performing professional team evaluations of youth in crisis as well as delays in facilitating appropriate community-based and residential placements for young people in need of specialized mental health services.

### **Quality of Care**

COVID-19 continues to affect basic services for incarcerated young people such as barbering availability. Several youth reported during monitoring visits that barbering services are not consistent and that they have had to wait long periods for a basic haircut. In Grievance 17610, a youth wrote that “he heard the barber was in the facility but didn't come to their unit.” He also “shared he has not had a haircut since he's been detained.”

Even when hair care services are offered, they are severely limited in scope for boys and only include cuts, trims and shape-ups. Additionally, youth with hairstyles such as dreadlocks, braids, and twists do not have access to appropriate hair care maintenance products such as gels and grease specifically formulated for their hairstyle. These youth express a desire to be presentable for court and during visitation with family members and to maintain their appearance while incarcerated. In Grievance 17610, several youth expressed how lack of hair care affected their well-being. One of the youth wrote that, “I need my hair done its messing with my mental health bad.” Another youth wrote that, “I feel like we should have care of our hair because sometimes when we have court we be looking bad [and] it also messes up our mood which means it messes with our overall mental health so to help improve we need our hair done so we can take care of it.”

Hairstyles are inextricably linked to identity, self-esteem and personal expression for many young people. Expanding hair services and available hair products to accommodate the diversity of youth hairstyles can help validate their sense of personhood, dignity and worth.

For information on the change in education service providers and other education-related issues in DJS facilities, see pages 46-48.

**Charles H. Hickey, Jr., School**

The Charles H. Hickey, Jr., School (Hickey) in Baltimore County is a maximum security detention center for boys. Hickey is owned and operated by the Department of Juvenile Services (DJS/the Department) and has a DJS-rated housing capacity of 72 beds. African American or Black youth accounted for 79% of entries in the second quarter of 2022, compared to 70% during the second quarter of 2021. Hispanic/Latino youth represented 8% of youth entries during the reporting period compared to 12% during the second quarter of 2021.

Hickey – Selected Incident Categories	Q2 2020	Q2 2021	Q2 2022
<b>Average Daily Population (ADP)</b>	<b>36</b>	<b>41</b>	<b>44</b>
1. Youth on Youth Assault/Fight	31	27	32
2. Alleged Youth on Staff Assault	0	2	6
3. Physical Restraint	28	19	45
4. Use of Handcuffs and/or Shackles	0	1	12
5. Seclusion	2	3	13
6. Contraband	3	3	1
7. Suicide Ideation	0	1	1
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	4	0

Incidents were elevated at Hickey throughout the second quarter. Average daily population (ADP) in the second quarter of 2022 increased by 7% compared to the second quarter of 2021. Comparing the same two time periods, fights amongst youth increased by 19%, physical restraints of youth by staff increased by 137%, the number of incidents involving seclusion of

youth more than quadrupled and mechanical restraints (handcuffs and/or leg irons) usage inside the facility increased from one instance to 12 instances.

### **Group Dynamics**

Administrators at Hickey faced difficulties in managing group dynamics and appropriately addressing the needs of young people with significant behavioral health challenges. During the second quarter, facility administrators and staff adopted a reactive approach in response to youth acting out and utilized isolation, restraints, and seclusion in attempts to control youth behavior. Management at Hickey should establish a structured and safe environment where individualized supports and services are provided to promote healthy coping and self-regulation skills and behavior amongst the incarcerated young people at Hickey.

In Incident 170460, a group disturbance involving three separate fights broke out in the gym. During the melee, it took several minutes for staff to regain order as calls for assistance went unheeded.

Two of the youth who instigated fights in the group disturbance just described were held in segregation for several days on a separate section of the residential unit in a misguided effort to manage their aggressive behavior. The youth were not provided with any intensive and specialized clinical interventions, supports, or programming services to help them address the underlying causes of their behavior. Additionally, the only education-related services they received was packet work provided on the segregated unit since the youth were not allowed to attend the facility school.

Separation from peers often exacerbates rather than ameliorates problematic youth behavior. In Incident 170513, the two students in social separation began to destroy the unit where they were being held. They broke the TV and damaged the staff logbook as well as a DVD player. The youths later reported to a monitor that they were upset about being held in social isolation.

The Department should increase mental health staffing at facilities to include clinicians with expertise and extensive training in developing comprehensive plans and interventions for stabilizing youth with behavior issues. Furthermore, administrators and mental health staff should closely collaborate in facility operations to establish a culture at Hickey that prioritizes a safe and stable environment for youth and the provision of individualized services for those youth requiring extensive behavioral monitoring and supports.

Additionally, coverage for mental health services should also include an on-site mental health clinician at the facility school to assist with youth who need clinical services during the school day. Currently youth who exhibit behavioral issues at school are removed from school and sent back to their residential unit. An on-site school-based therapist can help stabilize

agitated youth so that they can return to the classroom, and such an approach should result in less disruption to students' academic progress.

### **Youth with High Mental Health Needs Incarcerated in Detention Facilities**

Kids requiring hospitalization for high levels of mental health needs continue to be inappropriately locked-up in corrections-oriented juvenile detention centers. The Department of Juvenile Services is not the appropriate state agency to help address the needs of and challenges facing these youth.

Two boys housed at Hickey with severe mental health issues and histories of uncontrollable violent and unstable behavior during the quarter struggled psychologically and behaviorally while in a detention environment.

One youth at Hickey with a history of self-injurious, suicidal, and assaultive behavior was involved in the following incidents:

In Incident 170255, the youth assaulted the facility nurse by grabbing and throwing her (along with himself) into a wall and window. Staff were able to stop the youth from pushing the nurse's head into the window. The youth then banged his head on the ground and against the wall as staff tried to intervene.

In Incident 170451, the same youth asked staff if he could eat his dinner and was told no because he had consumed 6 chess game pieces and so would have to wait until he returned from a hospital. The youth then entered a bathroom where he tried to eat the soap and was subsequently physically restrained by staff. During the restraint, the youth bit a staffer.

In Incident 170313, the same youth entered the bathroom and came out with a bloody nose and cuts on his arm.

In Incident 170304, the same youth was observed during shower time writing on the door with feces and eating feces.

In Incident 170305, the same youth came out of the shower with his face and body covered in blood. Emergency services were called and the youth was transported by ambulance to a hospital. The youth hit himself on the nose several times while in the emergency vehicle.

In Incident 170455, the same youth came out of the bathroom with feces all over his body and started to spread feces on the dayroom wall.

Another youth with serious cognitive issues and prone to outbursts was involved in several incidents in which he destroyed property and threatened and assaulted staff (Incidents 170363, 170400, 170495, 170975, 170974, 170973, and 170871). During one of these incidents

(170495), the youth became agitated and began tearing up textbooks in a classroom. It took 13 staff to physically restrain the youth because of his size and level of agitation.

Additionally, in a separate incident (170872), the same youth was being held in seclusion in his cell when staff noticed that he had a sheet around his neck. When staff took the sheet away from the youth, he put his sweatshirt around his neck, and staff had to call for a cut down tool to remove the sweatshirt from the youth's neck. The youth was taken off grounds for an emergency room visit but was ultimately returned to detention at Hickey.

Direct-care staff at DJS detention and placement facilities do not receive specialized training in preventing, managing and treating severely agitated youth who may be prone to experiencing mental health crises due to their underlying psychiatric conditions. Detention centers lack specialized resources and the particular professional clinical expertise and clinical staffing levels necessary to address the needs of this population and instead rely on verbal directives, physical and mechanical restraints, social isolation from peers, and seclusion to manage youth behavior. This compliance-centered and punitive approach often exacerbates the mental health challenges that kids face. State courts should consider these factors before detaining or committing youth to DJS facilities.

The Maryland juvenile justice system cannot become a default component of the State mental health system. Maryland state government and its various departments need to comprehensively address the current severe shortages affecting in-patient psychiatric facilities. The lack of treatment resources for mentally ill children is causing delays in performing professional team evaluations of youth in crisis as well as delays in facilitating appropriate community-based and residential placements for young people in need of specialized mental health services.

### **Programming**

Hickey has initiated creative programming options to keep youth engaged including the following:

- A health and nutrition program that is run by recreation and dietary staff where youth learn about healthy habits. The dietary supervisor also meets regularly with youth to address issues with food services and solicit feedback for improvement.
- A music program run by direct-care staff which includes a music studio where youth can make their own beats. The program should be expanded to other DJS detention centers.



- A photography program run by a staffer where youth can develop expertise in taking photographs.
- A mentoring program on weekends where self-improvement and career options are explored.
- Use of a weight room area in the gym during recreation hours.

## **Education**

Operational control of education services in DJS facilities was permanently transferred at the end of the second quarter from the Maryland State Department of Education (MSDE) to an independent school board. The new school system is referred to as the Juvenile Services Education Program (JSEP). A superintendent hired by the board is responsible for helping to create and implement JSEP policies and for overseeing school operations.

Disruptions in in-person instruction due to COVID-19, significant numbers of teacher vacancies, and lack of post-secondary options for high school graduates continue to negatively impact education services at Hickey.

Students in quarantine (either because they are new admissions or because of exposure to COVID-19) do not attend school and are required to complete packets of worksheets (which are not always grade-appropriate) on their own. Plans to improve internet availability at all DJS facility living units should continue to be prioritized so that quarantined students can, at the very least, have access to virtual classes which are offered by JSEP.

School vacancies for English, Science, and Social Studies teachers are ongoing.

Education options for high school graduates are limited at Hickey. During the quarter, a high school graduate was not enrolled in college courses or engaged in any meaningful post-secondary courses or activities. Instead, he sat in on high school courses for the majority of the school day. Post-secondary education plans that are tailored to student needs, interests and strengths should be created and implemented for youth who have already earned a high school diploma.

For more information on the change in education service providers and other education-related issues in DJS facilities, pages 46-48.

### **Thomas J.S. Waxter Children's Center (CLOSURE)**

The Thomas J.S. Waxter Children's Center (Waxter) in Anne Arundel County was a hardware secure (locked and fenced) detention center for girls. Waxter was operated by the Department of Juvenile Services (DJS/the Department) and had a DJS-rated housing capacity of 32 girls.

The facility closed in March of 2022. The physical plant at Waxter was aged, cramped and in disrepair. The Department refurbished the Noyes secure detention center in Montgomery County to serve as an all-girls detention facility. Noyes is also an old and space-challenged facility, but the physical plant is in slightly better condition in some respects than the wholly decrepit Waxter center.

**Alfred D. Noyes Children’s Center**

The Alfred D. Noyes Children’s Center, located in Montgomery County, is a Department of Juvenile Services (DJS/the Department) owned and operated maximum security detention center for girls with a DJS-rated capacity of 29 youths. African American or Black youth represented 70% of entries in the second quarter of 2022 compared to 83% during the same period in 2021.

<b>Noyes – Selected Incident Categories</b>	<b>Q2 2020</b>	<b>Q2 2021</b>	<b>Q2 2022</b>
<b>Average Daily Population (ADP)</b>	<b>16</b>	<b>10</b>	<b>7</b>
1. Youth on Youth Assault/Fight	6	5	2
2. Alleged Youth on Staff Assault	1	2	1
3. Physical Restraint	33	8	23
4. Use of Handcuffs and/or Shackles	21	2	4
5. Seclusion	3	2	4
6. Contraband	3	1	1
7. Suicide Ideation	4	0	2
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	13	0	1

Average daily population decreased by 30% during the second quarter of 2022 compared to the second quarter of 2021. While youth fights and assaults decreased during the same time period, physical restraints of youth by staff almost tripled, and incidents of mechanical restraints (handcuffs and/or leg irons) used on girls within the facility and incidents involving seclusion also increased.

Noyes is an aging facility that requires consistent maintenance to keep it operational. An air conditioner handler unit at the facility caught fire in early April of 2022 which necessitated youth and staff evacuation from the premises (Incident 170217). Girls at Noyes were temporarily relocated to a living unit at Cheltenham Youth Detention Center (CYDC) and remained there until late May of 2022. During this period, education services were severely disrupted due to lack of space within the school at CYDC and logistical issues in coordinating simultaneous school services for youth from two facilities in one physical plant. Students from Noyes experienced academic difficulties as a result.

After the girls relocated back to Noyes, the air conditioning malfunctioned in late June of 2022. Youth reported days of uncomfortably warm temperatures on living units. Fans and water coolers were brought to the units to help ameliorate the situation (Incident 171024). The issue was addressed by maintenance staff and working air-conditioning was restored to the facility.

Noyes lacks an in-house kitchen, and food services are provided by a private vendor. For years, youth have filed grievances about the quality and quantity of food served, yet the situation (and the vendor) remains unchanged. In Grievance 17575, a youth reported that the food served was unseasoned and cold. During a monitoring check-in, youth reported that the meat served at dinner time was moldy. Staff confirmed that the dinner meal had to be thrown away and that sandwiches were provided as a dinner substitution for the moldy meal.

The Department has plans to build a kitchen at the facility to address the current shortcomings in meal services, however this endeavor will likely take months or even years to complete as the bidding process for the service contract has not begun. In the interim, the Department should contract with a different food vendor for youth at the Noyes facility, a vendor that is capable of providing the young people incarcerated there with tasty and nourishing meals.

The Maryland State Department of Education, Juvenile Services Education System (MSDE JSES) was responsible for education services in DJS facilities until late June of 2022.\* Montgomery County Public Schools (MCPS) provided additional staffing support to the school at Noyes (including a transition specialist and an art and PE teachers). MCPS also provided technical, infrastructure, and training resources, however there are no plans for this partnership to continue through the 2022-2023 school year. When control of school operations at Noyes (and all other DJS facilities) was turned over to an independent school board, continuation of the agreement at Noyes was not prioritized by either party.

\*For more information on the change in education service providers and other education-related issues in DJS facilities, see pages 46-48.

**Lower Eastern Shore Children’s Center**

The Lower Eastern Shore Children’s Center (LESCC) is a hardware secure (locked and fenced) detention center located in Salisbury. LESCC is owned and operated by the Maryland Department of Juvenile Services (DJS/the Department) and has a DJS-rated housing capacity of 24 youth. African American or Black youth represented 70% of entries during the second quarter of 2022 compared to 69% in the second quarter of 2021.

<b>LESCC – Selected Incident Categories</b>	<b>Q2 2020</b>	<b>Q2 2021</b>	<b>Q2 2022</b>
<b>Average Daily Population (ADP)</b>	<b>8</b>	<b>15</b>	<b>17</b>
1. Youth on Youth Assault/Fight	6	10	10
2. Alleged Youth on Staff Assault	0	1	1
3. Physical Restraint	14	11	31
4. Use of Handcuffs and/or Shackles	0	0	0
5. Seclusion	0	0	0
6. Contraband	1	0	2
7. Suicide Ideation	5	0	11
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	0	1

The average daily population at LESCC increased by 13% in the second quarter of 2022 when compared to the second quarter of 2021 while youth on youth fights remained at the same level. Physical restraints of youth by staff almost tripled when comparing the same two periods. Neither seclusion nor mechanical restraints (handcuffs and/or leg irons) were used inside the facility during the second quarter of both 2022 and 2021.

Leadership at LESCC promotes a cohesive team approach toward facility operations which privileges constructive youth-staff relationships, verbal processing and de-escalation, and engaging programming to foster positive youth behavior rather than reliance on restraints and seclusion. The program could be enhanced with an additional recreation specialist position to provide more structured activities for youth.

Beginning in June of 2022, LESCC transitioned from accepting boys and girls and became an all-male facility. LESCC is in need of additional male staff to conduct showers and searches and assist in managing youth dynamics. At times throughout the second quarter there was only one male staff on grounds to provide support and coverage.

For information on the change in education service providers and other education-related issues in DJS facilities, see pages 46-48.

**Western Maryland Children’s Center**

Western Maryland Children’s Center (WMCC), located in Washington County, is a 24-bed maximum security detention center for boys which is owned and operated by the Maryland Department of Juvenile Services (DJS/the Department). African American or Black youth represented 70% of total entries during the second quarter of 2022 compared to 62% in the second quarter of 2021. Latino/Hispanic youth accounted for 11% of total entries during the current reporting period, an increase of 1% compared to the second quarter of 2021.

<b>WMCC – Selected Incident Categories</b>	<b>Q2 2020</b>	<b>Q2 2021</b>	<b>Q2 2022</b>
<b>Average Daily Population (ADP)</b>	<b>16</b>	<b>12</b>	<b>16</b>
1. Youth on Youth Assault/Fight	9	5	8
2. Alleged Youth on Staff Assault	0	0	2
3. Physical Restraint	13	13	54
4. Use of Handcuffs and/or Shackles	0	4	12
5. Seclusion	0	0	13
6. Contraband	3	1	0
7. Suicide Ideation	1	4	4
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	0	0

The average daily population increased by 33% in the second quarter of 2022 compared to the same time last year while incidents involving youth fights increased from 5 to 8. Physical restraints of youth by staff and use of handcuffs and/or leg irons while inside the facility tripled. There were 13 instances where youth were placed in seclusion in the second quarter of 2022 versus zero instances in the second quarter of 2021.

WMCC is in need of more staff positions. Compared to LESCC, a similarly-sized DJS detention center located on the Eastern Shore, WMCC has six fewer direct-care staff positions. WMCC also needs two more management/supervisory positions to ensure equity in staffing to LESCC.

Facility leadership has begun outreach to bring in enrichment programming for youth. A local mentoring group plans to provide ServSafe food hygiene, construction site Flagger, and commercial driving (CDL) courses for youth at the facility. Partnerships with community organizations to enhance youth services should continue to be developed.

For information on the change in education service providers and other education-related issues in DJS facilities, see pages 46-48.



## **SMALLER FACILITY UPDATES**

## SMALLER FACILITY UPDATES

### Morning Star Youth Academy

Morning Star Youth Academy is a staff secure (not locked or fenced) committed placement center on Maryland's eastern shore. The facility is operated by Vision Quest, Inc., and licensed by the Department of Juvenile Services to house up to 24 boys.

Lack of staff supervision contributed to an influx of contraband on campus during the second quarter. In Incident 170546, two vape pens, a charger, and nicotine packets were found on campus. In Incident 170556, a school laptop, laptop charger and lighters were found behind a unit drying machine. Additionally, youth were prohibited from utilizing the local YMCA for recreational purposes due to concerns about items being stolen during times when youth from Morning Star were on-site.

A flawed approach to security protocols continues to be an issue at Morning Star. In Incident 170176, a youth grabbed a staffer's personal backpack that the staffer brought to a youth cottage living unit. The youth then ran out of the cottage and another youth followed the fleeing youth. The two youths took the staffer's keys from her backpack and stole her car. Another staffer arriving at the facility spotted the youths driving away in the staffer's car. The youths were apprehended by law enforcement the next day. When questioned about the decision to run away from the facility, one of the youths stated that he "wasn't getting the right treatment and was bored" and wanted to "get back home to Baltimore". The same youth also reported that it was common for staff to keep their personal keys with them on the unit, and he suspected that the staffer's keys would be in the bag that she brought to the living unit. Further inquiries revealed that staff are not consistently searched when they arrive on campus and that key control procedures are not routinely followed.

It is imperative that administrators at Morning Star take active measures, including enhanced staff training and accountability, to improve supervision and safety at the facility.

During monitoring interviews, youth expressed a need for more organized activities both on and off campus to help reduce high levels of downtime and boredom. An indoor gym is unusable during summer months because there is no air conditioning, the outside basketball hoop is broken, and the on-site pool is not consistently utilized because of a lack of lifeguards. Leadership at Morning Star should organize more structured events and activities based on youth and staff input and interests.

### One Love Group Home

One Love Group Home (One Love) is a privately-run 8-bed group home for boys in Baltimore City operated by Building Communities Today for Tomorrow, Inc. The home is licensed

by and receives referrals from the Maryland Department of Juvenile Services and accepts young people between the ages of 17 and 20.

Youth reside in a home-like environment with nurturing staff. Local resources are leveraged to provide therapeutic, educational, and recreational services. Residents have the opportunity to attend school and work in the surrounding area. One Love serves as a community-based model of care for justice-involved youth.

# **MARYLAND STATE DEPARTMENT OF EDUCATION IN DJS FACILITIES**

## JUVENILE SERVICES EDUCATION PROGRAM

The Maryland State Department of Education (MSDE) was responsible for the delivery of instruction, resources and services for students in the schools within Department of Juvenile Services' (DJS) operated detention and placement facilities until June 28, 2022. Starting at the end of June, an independent Juvenile Services Education Program (JSEP) Board focused solely on education in DJS facilities took over responsibility of education services inside DJS facilities with implementation and resource assistance from DJS. The Board has already selected a superintendent to oversee school operations and is in the process of hiring additional staff and developing policies and procedures for the Juvenile Services Education Program (JSEP).<sup>16</sup>

Particular attention should be given to the following issues as the Board and superintendent work together to increase the quality of education services for incarcerated youth:

### **Address chronic teacher shortages.**

JSEP schools face a severe shortage of teaching staff. Staff recruitment should be prioritized and salaries and school schedules should be competitive with local school districts where the schools are located in order to attract and retain teaching talent.

### **Work on efforts to mitigate the negative impact that COVID-19 has had on the academic progress of incarcerated youth.**

While students in the rest of the state of Maryland return to mostly normal school conditions, COVID-19 continues to create havoc with the educational progress of incarcerated students. Students at DJS facilities are frequently exposed to COVID-19 from staff and incoming youth. When exposure occurs, students are placed on quarantine where they lose access to in-person teaching, special education services and classroom time for days or weeks at a time. Many students on quarantine are without internet access on their living units and are only provided worksheets to complete on their own during the school day.

Efforts to expand access to virtual education for quarantined students across all DJS facilities should continue to be prioritized so that, at the very least, all students have an opportunity to partake in virtual instruction when in quarantine. In addition, creative strategies should be developed to ensure students have services and interventions that both prevent and address learning loss from the disrupted school schedule. Some examples include intensive individualized tutoring services upon return to the classroom; periods of in-person access to educators while on quarantine; and after-school skill-building activities that supplement academic course work and that youth find engaging.

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<sup>16</sup> See [Juvenile Services Education Program \(JSEP\) and Board \(maryland.gov\)](#)

**Expand professional development opportunities and student programming dealing with mental health and social and emotional learning. JSEP/DJS should assign a full-time mental health professional to be on-site and inside facility schools during the school day to assist young people with mental or behavioral health issues so that they can remain in their classrooms and ready to learn.**

Mental well-being enhances learning. “Mentally healthy students are more likely to go to school ready to learn, actively engage in school activities, have supportive and caring connections with adults and young people, use appropriate problem-solving skills, have nonaggressive behaviors, and add to positive school culture.”<sup>17</sup> The mental health needs of public school students has dramatically increased since the COVID-19 pandemic<sup>18</sup> and incarcerated young people are especially vulnerable given the disproportionate levels of trauma and mental illness prevalent in the population.<sup>19</sup> Increasing opportunities for social and emotional learning in school and providing targeted intervention for youth needing more intensive care can help promote a positive school climate and improve the academic success of students.

**Expand Post-Secondary and Career and Technical Education (CTE) Options.**

High school graduates need more opportunities that would allow them to further their educational progress and/or develop employment skills and experience. A popular World of Work program initiated by DJS that allowed young people to perform odd jobs around facilities for minimum wage was discontinued by the Department. Youth in placement facilities have frequently requested options for hands-on career and technical courses in areas such as auto mechanics, barbering, culinary arts, HVAC repair, and other trades which would allow them to pursue sustainable employment in the community upon release. In addition to online community college courses currently offered to graduates, youth should have the opportunity to attend classes on campuses at local universities and colleges and have jobs and internships in nearby communities.

**Diversify Course Offerings.**

School schedules are limited to core content area courses and online or book-based CTE classes while students frequently also voice interest in taking elective courses such as art and physical education to help break up the school day. Providing courses that involve more physical activity and appeal to youth interests can help students be more engaged throughout the school day.

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<sup>17</sup> [School Based Mental Health | Youth.gov](#)

<sup>18</sup> See [Press Release - Roughly Half of Public Schools Report That They Can Effectively Provide Mental Health Services to All Students in Need - May 31, 2022](#)

<sup>19</sup> See [Intersection between Mental Health and Juvenile Justice System Literature Review \(ojp.gov\)](#)

**MARYLAND DEPARTMENT OF JUVENILE  
SERVICES AND JUVENILE SERVICES  
EDUCATION PROGRAM – RESPONSE**



## **DJS RESPONSE TO THE COVID-19 PANDEMIC**

For a detailed description of the response by the Department of Juvenile Services (DJS) to the COVID-19 pandemic and its efforts to protect the safety and well-being of youth, staff and the community at-large, please see the “DJS COVID-19 Response” document found on the DJS website at

[https://djs.maryland.gov/Documents/COVID-19/DJS-Overview-COVID-19\\_08.21.2020.pdf](https://djs.maryland.gov/Documents/COVID-19/DJS-Overview-COVID-19_08.21.2020.pdf).

### **COVID-19 CASES IN DJS FACILITIES**

In the Second Quarter of 2022, there were 118 total confirmed cases of COVID-19 among DJS facility staff (14, 50 and 54 cases in April, May and June, respectively). Out of the 118 cases, all but 2 of the affected staff returned to work.

There were 34 confirmed cases of COVID-19 among youth in DJS facilities in the Second Quarter (0, 11 and 23 cases in April, May and June, respectively). Out of the 34 cases among facility youth, 32 youth successfully recovered in a DJS facility while 2 youth were released by court order to recover at home.

DJS will continue to monitor the health metrics both in the community and facility settings and make adjustments as needed for the safety and benefit of DJS staff, youth and families. For updated testing information and other COVID-19 response information, please see the COVID-19 Response page on the DJS website, <https://djs.maryland.gov/Pages/COVID-19.aspx> or call the agency’s COVID-19 24-hour hotline at 877-357-4161.

### **VACCINE REQUIREMENTS FOR DJS FACILITY STAFF**

On August 5, 2021, Governor Hogan announced that State employees who work in congregate care settings were required to receive their first dose of the COVID-19 vaccine by September 1, 2021. Coinciding with the Governor’s announcement, the Maryland Department of Health (MDH) issued an Order that required that all employees in facilities operated by DJS show proof of their vaccine



status by September 1, 2021 and any staff who fail to do so will be subject to weekly COVID-19 testing and required to wear appropriate Personal Protective Equipment.

While many staff in DJS facilities have already received their COVID-19 vaccine, DJS leadership will continue to work with facility administrators to implement the requirements of the Governor's Order. At the time of this writing, 65% of DJS facility staff are fully vaccinated. Going forward, DJS will continue to monitor vaccination rates among DJS facility staff and stress the importance of the COVID-19 vaccine as the best available defense for youth and staff against the virus.

## **COVID-19 INFECTION CONTROL MEASURES**

DJS appreciates JJMU's acknowledgement of the Department's efforts to protect youth and staff during this pandemic. In March 2020, the Department began making significant changes to facility procedures in anticipation of the arrival of the coronavirus to Maryland. These changes were made in consultation with the DJS Medical Director and Health Team, and based on national best practices. Infection control measures such as social distancing, universal masking, increased hygiene and sanitation, limiting facility entry to staff and approved vendors, creating intake admission units in juvenile detention facilities, and creating medical isolation units for youth who test positive for COVID-19 were implemented in an effort to keep youth and staff safe while maintaining the continued operation of the Department's secure facilities.

Additionally, DJS has implemented a pre-entry screening procedure consisting of a questionnaire and a temperature check. Every staff person or vendor seeking to enter a DJS facility must complete and sign a symptom questionnaire and submit to a temperature scan before entering. Any staff or vendor who indicates possible COVID-19 symptoms on the questionnaire and/or has a temperature over 100 degrees Fahrenheit is denied entry. Additionally, the DJS Medical Director and other medical staff are available in the event that any questions or concerns arise about admitting staff or vendors to DJS facilities. Through this rigorous process, DJS seeks to ensure that staff who are potentially sick are identified before possible exposure of youth or staff inside the facility.

The use of medical isolation for individuals testing positive for COVID-19 (or any other highly contagious virus) is a medical best practice and similar to what occurs in the community, whether in the home or in a hospital or other setting. Under normal circumstances, DJS policy restricts the use of "time out" periods for a youth to be away from the larger population in his/her room as a means of "cooling off." DJS recognizes that being in a room isolated from others is difficult for anyone. To alleviate the stress for the youth that have tested positive for COVID-19 and required to be medically isolated, DJS has provided handheld games and cell phones for youth to call family while they recover. Additionally, all youth in medical isolation and youth housed on quarantined units are assessed by a licensed medical professional daily and at frequent intervals as ordered by our medical director and team of physician and nurse practitioner staff. Given the highly infectious nature of COVID-19, our healthcare staff agreed that medical isolation is necessary to protect youth and staff in DJS facilities.

As of August 2022, youth are required to return to wearing masks indoors. Facility staff continue to wear N95/KN95/well-fitting surgical masks indoors around youth, but are not required to wear masks outdoors.

In early September 2022, DJS modified the protocols for youth who are going from detention to a treatment program. Youth will continue to be tested before being transferred. However, instead of being placed on a quarantine unit, youth will be admitted directly into general population. Within the first 3 to 5 days of admission, youth will be retested. This process will help expedite youth being transferred from detention to a treatment program and reduce the times youth are on quarantine and separated from the general population.

### **FACILITY PROGRAMMING DURING THE PANDEMIC**

As the rates of COVID-19 cases in both DJS facilities and the community have stabilized, certain infection control measures have been eased.

Volunteers have started to return to the facilities to provide faith based and other types of services. One example is a volunteer program that mentors youth by teaching them to play chess. Another volunteer group that specializes in therapy pets came to Victor Cullen Center so the youth could interact with various trained animals, including an alpaca.

To further enhance the facility programming schedule, DJS staff have spearheaded several staff-led programs such as planting gardens to teach youth how to cultivate and harvest vegetables and completing beautification projects to teach youth landscaping skills. Other events include tea socials, slumber parties and creating mosaic art pieces for display. For the Youth Centers, DJS will continue to permit youth to attend college courses off-grounds and enjoy events in the community. Further programming is on the horizon as DJS is in the process of initiating contracts with vendors who worked with facility youth prior to the pandemic.

In June and July 2022, the CHAMPS program organized several fitness challenges and field days where youth got outside and participated in relay races, tug-of-war, tire flips and much more. Juneteenth was celebrated with a coin design contest where youth learned about the history of Juneteenth. Youth participated in virtual escape rooms where competitions were timed to see who could figure out the clues to get out of the virtual room.

In June and August 2022, two Youth Roundtables were held with the Deputy Secretary of Operations and his Executive Team to give youth a voice in the decision-making process to improve facility programming, operations, and facility culture. DJS met with the youth policy committee to get their feedback on the Behavior Motivation System policy, which is being revised to focus on promoting positive youth behavior.

## **FAMILY ENGAGEMENT**

DJS Operations leadership has relaxed previous infection control measures to improve the family engagement experience for youth in DJS facilities.

Family day events were held over the summer months to include a Mother's Day brunch, Father's Day luncheon and family dances. DJS held the first graduation ceremony since the pandemic for five facility youth and their family members, who were present to share in the celebration. DJS continues to promote daily visitation with approved family and close relations contingent on 24-hour notice to the facility case manager.

DJS continues to recommend and support home passes for youth who are at Honors Senior level within the behavior management program for the treatment programs.

The facilities will continue to provide a minimum of five calls per week to each youth. This includes two on the department's phone system, one call for 20 minutes facilitated by case management and two virtual video calls for 15 minutes each also facilitated by case management. All facilities received direction to provide more phone calls, if possible, during leisure time. DJS is exploring options to increase the amount of phone contacts between youth and their families.

DJS will continue to monitor the data and trends in positive case rates in DJS facilities and make any adjustments necessary to keep youth and staff as safe as possible.

## **HAIR CARE SERVICES**

Generally speaking, barber and hair care services in DJS facilities are scheduled on a bi-weekly basis. However, vendors that provide those services are required to comply with the COVID testing requirements before entrance into a DJS facility. When units are on quarantine and medical isolation, DJS infection mitigation measures prohibit barbers and hair care contractors to provide services on those units. DJS has requested that barber and hair care vendors call ahead prior to scheduled service to learn whether the facility is on outbreak status and, if so, reschedule the visit.

## **NAVIGATING THE NEW NORMAL**

DJS recognizes that the "new normal" in its facilities has required an adjustment on the part of staff and youth. From wearing masks to restrictions placed on activities and the use of quarantine and isolation when medically required, DJS acknowledges that these changes could produce anxiety among staff and youth. However, in these challenging times, the agency has witnessed facility staff rising to the occasion and youth demonstrating incredible resiliency and adaptability. DJS remains committed to keep facility staff and youth as safe as possible during this pandemic and to continue to find creative solutions to address programming challenges in the facility.

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## **DEPARTMENT OF JUVENILE SERVICES RESPONSE TO JJMU 2022 SECOND QUARTER REPORT**

The Department of Juvenile Services (DJS) has reviewed the Juvenile Justice Monitoring Unit's (JJMU) 2022 Second Quarter Report, and provides the following response:

### **FACILITY STAFFING**

Along with policies based on best practices, standards of conduct and accountability through disciplinary and quality assurance processes, appropriate staffing levels at DJS facilities is an important part of creating a safe, supportive environment for youth and staff. DJS continuously recruits entry-level direct-care workers to work in DJS facilities. At most DJS facilities, staffing levels are stable and staff turnover is within expected ranges.

But, DJS is not immune to larger economic trends. As has been reported, the U.S. is experiencing a shortage of entry level workers for variety of reasons related to the economic impact of the COVID-19 pandemic and a changing employment market.<sup>20</sup> This shortage of entry level workers has impacted employers from retail to food service and government agencies. DJS has also experienced this impact especially at the three facilities that are experiencing higher than usual vacancies: the Victor Cullen Center (VCC), Cheltenham Youth Detention Facility (CYDC) and the Baltimore City Juvenile Justice Center (BCJJC).

While this labor shortage has certainly created a headwind for the Department's recruitment plans, DJS has re-doubled its efforts to recruit qualified staff and ensure that there are appropriate staff levels at facilities. The DJS Operations team and the DJS Human Resources unit are aggressively recruiting in Western Maryland, Prince George's County and Baltimore City with hiring "blitzes." These blitzes involve holding hiring events, often located right at the facilities in greatest need, where applications can be filled out and accepted, interviews are conducted on-the-spot and applicants can be fingerprinted. The completion of these steps at a hiring event saves significant time and allows the agency to onboard new staff more quickly.

Approaching the staffing issue from another angle, staff who have been on extended leave are now being contacted by facility administrators to plan their return to work at the facility. Very often, staff previously on extended leave can and do return to work after direct interactions with facility administrators who guide them through the process.

Despite the staffing challenges at VCC, CYDC and BCJJC, those facilities have been able to maintain proper staff-to-youth ratios at or better than the national standard of 8 to 1. When supplementation

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<sup>20</sup> See "America's Entry Level Worker Shortage" found at <https://edition.cnn.com/videos/business/2022/08/06/smr-entry-level-workers.cnn/video/playlists/business-latest-videos/>

is necessary to meet appropriate staffing levels, overtime is used in all DJS facilities but is monitored by both facility administrators as well as executive directors to avoid excessive use.

DJS will continue to aggressively recruit new facility staff and encourage current staff on leave to return to work. Even with a changing employment landscape, DJS remains committed to make sure that it recruits and retains qualified individuals who are committed to the agency's vision of successful youth, strong leaders, and safer communities.

### **DJS CONTINUES TO FOCUS ON COMMUNITY-BASED SOLUTIONS AS ALTERNATIVES TO SECURE PLACEMENTS**

Prior to the COVID-19 pandemic's arrival in Maryland in March 2020, DJS implemented standardized tools to measure risks and needs of youth and expanded community-based programs like evening reporting centers to reduce the use of confinement for justice-involved youth. The DJS response to the COVID-19 pandemic accelerated these and many other operational reforms. Furthermore, at the onset of the pandemic, an order was issued by former Chief Judge Mary Ellen Barbera that required Maryland juvenile courts to limit the use of juvenile detention and commitment unless it was necessary for public safety. That administrative order remains in effect today.

Today, DJS continues to work with its stakeholders to reduce the use of secure detention and commitment. These efforts include weekly reviews of all young people in committed placement and regular communication and collaboration with stakeholders. While it is reasonable to expect that the number of youth in secure detention and committed placement may rise in a post-pandemic world, DJS remains firmly committed to incorporating and bolstering community-based alternatives for youth and families in Maryland.

### **DJS BEHAVIORAL HEALTH UNIT CONTINUES TO RECRUIT QUALIFIED PROFESSIONALS**

The Behavioral Health Unit has continued to actively interview and recruit for vacancies during this period. In May 2022, the Behavioral Health Team welcomed two staff who filled positions at Victor Cullen Center and the Eastern Shore. In June 2022, the Department welcomed a Supervisor at the Alfred D. Noyes Children's Center (Noyes) and in August 2022, a new social worker joined the MAST team at Cheltenham Youth Detention Center. A Dialectical Behavioral Therapy Coordinator joined the Youth Centers team in September 2022. Services at CYDC, Charles H. Hickey, Jr. School (Hickey) and Baltimore City Juvenile Justice Center are provided via contractual agreement. A contracted provider has been identified to provide part-time services at VCC beginning in October 2022. Recruitments for positions at the Youth Centers, Noyes, CYDC, and VCC as well as Headquarters remain active and applicant interviews are ongoing.

## **YOUTH IN DJS FACILITIES WITH SIGNIFICANT MENTAL HEALTH NEEDS**

DJS recognizes that youth with more complex mental health needs are being housed in juvenile detention facilities, which is reflective of the increasing mental health needs of youth throughout the United States (<https://www.cdc.gov/healthyyouth/data/yrbs/pdf/YRBSDataSummaryTrendsReport2019-508.pdf>).

The DJS team will continue to work with stakeholders, including the courts, to identify more appropriate placements.

To better respond to mental health crises among DJS youth, all DJS facility staff receive entry level training in trauma informed care and Youth Mental Health First Aid. Youth Mental Health First Aid is designed to teach parents, family members, caregivers, teachers, school staff, peers, neighbors, health and human services workers, and other caring citizens how to help an adolescent (age 12-18) who is experiencing a mental health or addictions challenge or is in crisis. Youth Mental Health First Aid is primarily designed for adults who regularly interact with young people. The course introduces common mental health challenges for youth, reviews typical adolescent development, and teaches a 5-step action plan for how to help young people in both crisis and non-crisis situations. Topics covered include anxiety, depression, substance use, disorders in which psychosis may occur, disruptive behavior disorders (including AD/HD), and eating disorders.

In response to concerns regarding the intensity of some youth in DJS facilities, DJS recently implemented the Behavioral Health Mobile Crisis Support Team. The team is intended to offer extra support for youth with repeated high-risk behaviors, complex behavioral or psychiatric concerns, group incidents or dynamics, or other difficult situations. The team works to provide ideas for targeted interventions, support for behavior contracts or guarded care plans, additional supportive counseling, staff education and consultation with staff when needed. However, the support team is not a substitute for emergency on-call behavioral health services. This team is able to meet one-on-one with youth or staff, the applicable facility support team and/or offer consultations for a larger group of staff. Referrals may be received from superintendents and behavioral staff at any detention center or from executive staff.

### **Committed Programs**

#### **Victor Cullen Center (VCC)**

##### **Program**

DJS appreciates the JJMU noting the efforts of VCC administrators to improve the facility culture. The administration has put forth great effort in changing the culture at VCC. As part of that continuing effort, administrators attend all campus events and activities and facilitate mediations. These situations provide youth with access to speak with administrators often.

DJS treatment facility programming is based on Positive Behavioral Interventions and Supports (PBIS), which is an evidence-based framework used in schools and juvenile facilities across the U.S. PBIS has been effective in reducing behavioral incidents and improving organizational culture in

juvenile justice settings. The DJS behavior motivation system, which uses points to reward positive youth behavior, is one part of Department's PBIS framework. The other component is trauma-informed care that helps to support staff-youth interactions and the overall safety of the facility. Research indicates that rewarding positive youth behaviors increases the likelihood that youth will continue to utilize pro-social behaviors.

As is the case in all DJS treatment programs, the STARR Coupon system has been in place since DJS adopted the PBIS framework in 2018. The STARR coupon system is outlined in the STARR Manual, which is provided to all youth upon admission. Staff may award youth spontaneous STARR Power Coupons when they observe behaviors that exemplify outstanding citizenship. These behaviors are designated by the Central Program Committee and include extraordinary acts of kindness, initiative, and outstanding self-management in situations that may threaten facility safety and security.

The treatment team may also use STARR coupons to motivate youth to achieve target behavioral and academic goals. The key element of this incentive is that it is given spontaneously and cannot be requested by youth. This system includes the use of a specific reward menu that requires a youth to earn 20 to 100 coupons in order to access rewards that range from individual snack items to lunch with staff. Youth eligibility to redeem STARR Power Coupons depends on their point card averages and involvement in rule infractions.

### **Barbering Services and Supplies**

VCC has experienced some disruptions related to COVID-19 virus and supply chain interruptions. Barbering services have been impacted when VCC cottages are on quarantine status or the barber has contracted COVID-19. For clothing items and hygiene supplies, regular deliveries of those items have been occasionally delayed for reasons beyond the facility's control. In the event that a youth requests an item that is delayed in transit, a system is in place to provide a similar item as a backup until the delivery arrives. VCC leadership and administrators will continue to work with the youth to appropriately address their needs in the best way they can.

### **Behavioral Health Services**

VCC now has two licensed behavioral health clinicians and a behavioral health supervisor. Recruitment efforts continue for additional behavioral health clinicians. Interviews were recently held for one position and an offer has been made. Supplemental behavior health support is provided by an additional Behavioral Health Supervisor who provides services to youth weekly and an onsite Behavioral Health Coordinator who provides support to staff and specific training including coaching for residential advisors. DJS is in the process of procuring additional part-time contracted behavioral health support to supplement services while recruitment is in process.

During this reporting period, the facility therapy dog, Colt, was absent for a week due to an illness. Additionally, the staff member who takes care of Colt was also out due to COVID-19. Thankfully, both Colt and the staff have recovered and have been on-site at least three days a week. On days

when the staff member is not working, Colt will be dropped off with the Superintendent to ensure that the youth continue to receive the therapeutic benefits of the therapy dog program.

## **Teacher Conduct**

The teacher referenced in the JJMU report as having displayed unprofessional conduct was investigated by both the VCC administration and the DJS Office of the Inspector General (OIG). Additionally, Child Protective Services (CPS) and Maryland State Police (MSP) were notified. The teacher has since resigned.

## **Garrett Children's Center (GCC)**

Garrett Children's Center has been temporarily closed since November 05, 2020.

## **Youth Centers**

Regarding Incidents 17024 and 170401, the OIG and Green Ridge administration investigated both matters concluded that there was no evidence of wrongdoing. The involved staff members were counseled and administration conducted regular follow-ups with them.

The Youth Centers offer many recreation and enrichment activities that allow youth to build social competencies, self-esteem, and self-efficacy. The CHAMPS program provides opportunities for youth to compete against other youth facilities in art, poetry, and oratorical contests.

Youth attend Reflections at Meadow Mountain once or twice a month to engage in outdoor activities including low/high ropes elements, biking, hiking, snow tubing, climbing, fishing, swimming, canoeing, kayaking, and horseback riding. These occur at off-site locations such as Swallow Falls State Park, New Germany State Park, Frostburg Depot, Fork Run, Circle R Ranch, High Rocks Overlook, Broadford Lake Park, Herrington Manor State Park, and Rocky Gap State Park.

The Youth Centers provide structured activities both on and off grounds such as arts and crafts, campus wide physical education events, educational activities, holiday events, service-learning opportunities, and both individual and group activities focused on therapeutic treatment needs. Current structured activity programs are limited to on-campus events that take into account the need to social distance in response to the COVID-19 pandemic.

Green Ridge is actively recruiting for a second recreation specialist position that will allow the facility to have a recreation specialist on-site every day.

Youth have the opportunity to provide feedback and suggestions for ways to improve programming through Youth Advisory Board meetings with facility administrators that occur twice a month, Youth Roundtables with executive staff that occur every other month, and focus groups. Youth feedback has resulted in enhancements to the programming. The practice of soliciting and



incorporating youth feedback and suggestions will continue as the comprehensive treatment model is implemented at the Youth Centers and other committed treatment facilities.

The Juvenile Services Education Program (JSEP) is in the process of developing renewed interagency agreements with community colleges to bolster post-secondary, vocational, and internship and workforce development opportunities for JSEP youth.

### Mountain View (MV)

No girls were placed at Mountain View during the second quarter of 2022.

## **Detention Centers**

### Baltimore City Juvenile Justice Center (BCJJC)

BCJJC has experienced an increase in its overall population in the last year, which has been primarily driven by an increase in the adult hold population. Staff continue to be trained on Crisis Prevention Management and appropriate restraint techniques for the benefit of both youth and staff.

### **Physical Plant**

BCJJC administration has focused on improving the physical plant by cleaning, painting and waxing floors in the facility. Additionally, youth have received reinforcement on the expectations of properly maintaining their rooms. Facility administrators are conducting weekly inspections and random walk-throughs on the living units to ensure that areas are properly maintained and any issues are documented. Safety Officers have been identified and are performing weekly safety inspections. When issues are identified, such as graffiti, sanitation, or safety concerns, work orders are placed for maintenance and housekeeping.

### **Youth Safety**

Regarding Incident 170143, administrative review indicated that staff did not respond appropriately. Safety and security training has been provided to all staff and will be ongoing across all shifts. Video review of the incident has been shown to staff to identify staff errors for additional training purposes. Staff have been given clips and earpieces so radios can be clipped to their clothing instead of being in their pockets.

Incident 170384 occurred without warning or provocation. Administrative review indicated that staff response time was appropriate and immediate. The youth responsible for the attack was charged accordingly.

Management review of Incident 17088 indicated that staff was not posted properly. Training related to proactive supervision in school settings and during youth movement was provided to all BCJJC staff.

The malfunction that caused the automatic lock malfunction was addressed by the DJS Information Technology unit and the contracted technology vendor. The issue was resolved and youth have resumed normal movement throughout the facility.

## **Contraband**

Staff have been re-trained on how to perform pat-down searches and these searches were approved for youth, staff, and visitors. Youth are being searched before and after visitation in an effort to reduce passing of contraband. Mail is also thoroughly searched by a case manager supervisor before distribution to the youth.

## **Dietary, Programming, and Hygiene Needs**

Regarding Grievance 17501, food service staff were not able to confirm whether the food product was moldy due to the fact that they were first alerted to a possible issue after meal service had already concluded and the food had been discarded. Nonetheless, that food product was removed from the inventory out of an abundance of caution.

All food and commodities are inspected upon delivery by dietary staff to check for expiry dates and ensure freshness. After initial inspection, the food is stored according to best practices for food quality control measures. Dietary staff are notified of and account for various food allergies and restrictions for youth at the facility when developing menus and serving meals. In the event a youth does not want the meal that is served, the youth has the option of a replacement meal.

Barbers along with other outside vendors were not allowed in the facility due to increased COVID-19 cases. Executive staff cleared barbering services to resume in mid-April 2022.

Youth were surveyed and identified programs in which they had an interest. The Statewide Program Services Coordinator reached out to vendors that aligned with those interests. A variety of programs ranging from recreation to chess and faith-based programming have been scheduled for weekends at BCJJC. The music studio is still under construction. The parenting group was temporarily discontinued due to the increase in COVID-19 cases but has since resumed on a weekly basis. The arcade is available to all youth who exhibit appropriate behavior without incident during the week.

Youth now receive Dove soap and Old Spice deodorant upon facility admission. Degree and Axe body wash are available through the behavior management system as enhanced motivators.

## **Education**

Initially, students were given instructional materials along with rubrics and completed examples to help guide/support. After collaborating with the Superintendent, a schedule was developed in which the teachers provide direct instruction to the students on the living unit. Students in the quarantine units/intake are enrolled in the virtual school program.

JSEP is working closely with Human Resources to attract, recruit, and retain qualified teachers. Hiring teachers in the current environment is especially challenging due to a nationwide teacher shortage.

### [Cheltenham Youth Detention Center \(CYDC\)](#)

## **Staffing**

Upon the assumption of his duties, the interim facility superintendent immediately executed an audit of staff vacancies and began working with the Department's Human Resource unit to begin the process of filling vacancies. Hiring events were conducted to hire new recruits for resident advisors and additional staff positions. Simultaneously, current facility staff were interviewed for promotions into leadership positions such as Resident Advisor Lead and Group Life Manager.

To address the issue of the use of overtime, a review of employee time and attendance was conducted. Employees identified as having abusive leave practices were immediately held accountable. Any staff working over four hours of overtime were placed on the bottom of the draft list. Group Life Manager meetings are being held at least three times a week to address issues regarding time, attendance, and staff accountability. All staff calling out sick for their shift are required to contact the Assistant Superintendent directly for notification.

Facility administrators continue to ensure that there are sufficient staff available to meet required staff-to-youth ratios and monitor staff overtime usage.

Administrative reviews of Incidents 170417, 170503, and 170649 indicated that the supervisor on duty did not follow the proper protocol. Facility supervisors involved received refresher training on the seclusion policy/protocol and were placed on a performance improvement plan focusing on duties and decision-making.

In regards to Incident 170822, a thorough management investigation was conducted, which resulted in the staff member being held accountable in accordance with DJS Standards of Conduct. The Shift Commander during this incident was disciplined in accordance with DJS policy and placed on a performance improvement plan. A radio check sheet was created to ensure that unit staff are alert while on post during youth non-waking hours.

Regarding Incident 170921, an OIG investigation was conducted. The case manager involved received refresher training on crisis prevention and proper youth restraints. The Shift Commander was counseled on proper incident reporting.

### **Youth with Significant Mental Health Needs**

See “Youth With Significant Mental Health Needs” in the Introduction section of this Response.

### **Quality of Care**

As expressed in Grievance 17610, DJS recognizes the importance of hair care for youth and strives to provide services and products needed for diversity of hairstyles. Though barbering services were temporarily curtailed due to COVID-19, they have resumed and youth are receiving barbering services bi-weekly. Hair styling services are not provided; however, a variety of hair care products are available. DJS plans to make hair care a standing agenda item for the community groups to ensure that the youth have a platform to express themselves.

### [Charles H. Hickey Jr. School \(Hickey\)](#)

### **Group Dynamics**

Facility administrators and the behavioral health team took a proactive approach to youth exhibiting challenging behavior by placing them on guarded care plans and behavior contracts. Additionally, behavioral health clinicians increased individualized support for those youth to promote a healthier outcome of coping and reactive skills. Youth programs, incentives, phone calls, and parental interaction were also increased to help promote a healthy environment for both youth and staff.

Incident 170460 was a group disturbance during which staff responded quickly to prevent serious injuries to youth and staff. The two youth who instigated the group disturbance had been involved in a combined 15 prior unprovoked assaults on youths and staff. Facility administrators and the behavioral health team, and case managers placed the two youth on an intensive and specialized clinical intervention. The two youth received daily intensive groups on anger management, problem solving, and self-reflections services from behavioral health clinicians.

Hickey has three full-time clinicians, two half-time clinicians, four part-time clinicians and a part-time psychiatrist who provide on-site services seven days a week. Clinicians are on-site 12 hours a day Monday through Friday and eight hours per day on weekends. Several of the clinicians have extensive training in developing comprehensive plans and interventions for stabilizing youth with behavioral concerns. Administrators and behavioral health staff collaborate regularly regarding the needs of youth and when developing specialized plans to provide additional support to youth. The DJS Operations team is considering ways to improve the responsiveness of behavioral health staff

in the school setting. Youth are only taken to their unit when there is a significant risk to safety and security.

### **Youth with Significant Mental Health Needs**

See “Youth With Significant Mental Health Needs” in the Introduction section of this Response.

### **Programming**

DJS appreciates the JJMU recognizing its efforts to offer creative programming options including programs in health and nutrition, music, photography, mentoring, and use of the weight room.

### **Education**

Wi-Fi coverage is being expanded at Hickey to mitigate the challenges of providing in-person instruction for youth on quarantine. Currently, DJS/JSEP are working to increase bandwidth for teachers and students where possible and testing the use of encrypted USB drives that can be used to download classes to Chromebooks. In the long term, DJS/JSEP plans to expand Wi-Fi in all DJS facilities.

An English teacher has been hired at Hickey and JSEP continues to work with Human Resources to attract, recruit, and retain qualified teachers to fill all current vacancies.

JSEP students have access to workforce development and post-secondary education through Anne Arundel Community College and Frederick County Community College, respectively. JSEP's Post-Secondary Education policy ensures all students are provided the opportunity to work toward their career readiness and college goals once they have completed their secondary education.

### [Lower Eastern Shore Children's Center \(LESCC\)](#)

DJS appreciates the JJMU's comments on the cohesive team approach utilized at LESCC and the benefits for the youth and staff.

Recruitment to hire a Recreation Specialist and additional staff is ongoing.

### [Alfred D. Noyes \(Noyes\)](#)

In April 2022, a fire occurred in an air conditioning unit. While the fire was limited to the equipment, the unit was completely disabled and had to be replaced. Consequently, the youth were temporarily relocated to CYDC while repairs were ongoing. Once the unit was replaced, the youth returned to Noyes in late May 2022. Since then, the Noyes maintenance team has consistently and promptly addressed issues that arise.

To address challenging behavior, gender-responsive interventions have been implemented, which helped youth become more engaged in program activities.

Regarding Grievance 17575, all dietary concerns have been addressed with the food service vendor. DJS is in the process of constructing a new kitchen for the facility.

With respect to the pilot education program with Montgomery County Public Schools (MCPS), resources were shared between MCPS and the Noyes education staff through a grant from Maryland State Department of Education (MSDE). That grant has since expired and, on July 1, 2022, education services in DJS facilities was transferred from MSDE to JSEP. Going forward, JSEP plans to use the best practices learned through the pilot program to strengthen transition efforts for youth returning to the community.

#### [Thomas J.S. Waxter \(Waxter\)](#)

Waxter was permanently closed in March 2022.

#### [Western Maryland Children's Center \(WMCC\)](#)

DJS appreciates the JJMU's comments on the program enhancements for WMCC youth. Recruitment to hire additional staff and a supervisor position is ongoing.

## **Private Programs**

### Silver Oak Academy (SOA)

Pages 17 through 18

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1. “Excessive use of force by staff and staff supervision issues persisted through the second quarter of 2022. In Incident 170515/170545, a staffer placed his entire body weight on top of a youth who was in a prone position and remained on top of the youth for 4 minutes and 30 seconds while the youth stated to the staffer that he couldn't breathe. The staffer was referred to Child Protective Services (CPS) in Carroll County and Maryland State Police, however no substantive investigative action was taken by CPS or police in regard to staff conduct”.

**SOA Response:** Upon reviewing the film of the incident, the staff member was placed on leave and CPS was notified. The staff member was subsequently terminated due to his actions. All staff members are properly trained in safe crisis management on a monthly basis and must complete all 12 hours of training in order to be SCM certified and recertified annually. This staff member was up to date on all of his trainings. Furthermore, all restraints and serious incidents are reviewed and re-training of staff is done based on findings. This happens on an ongoing and as-needed basis.

The program has named and trained an onsite Safe Crisis Management Trainer. This staff member will be assisting and training staff in de-escalation techniques and maintaining up to date SCM training for all staff members. SOA administration is taking a strong and unified stance against physical management in any situation where a student is not a clear danger to himself or others, and any staff member not complying with that mindset is subject to immediate termination.

All employees will be trained based on a trauma-informed model and each student will have his own soothing plan based on individual needs and risk factors. Staff will be highly trained on de-escalation techniques and every staff member will be aware of each individual student's plan for crisis intervention.

**DJS Response:** Based on Licensing and Monitoring (L&M) review of the incident, it was determined that the staff member used an unapproved technique while restraining the youth. The program was instructed to report the incident to CPS and place the staff on administrative leave pending an investigation. However, CPS did not accept the case. The program retrained all staff in Safe Crisis Management and provided documentation to L&M. A Corrective Action Plan (CAP) was requested on June 8, 2022, and it was reviewed and approved by L&M. L&M has not been able to monitor the CAP as the program is currently on placement moratorium. There are currently no residential youth.

1. "In Incident 170198, an experienced staff member supervising a group of youth in the student lounge exited to use the restroom, leaving youth to be supervised by two newly-hired and uncertified staff. Three youth assaulted another youth while the experienced staffer was out of the area and repeatedly kicked and punched the youth and struck him with a pool cue. The inexperienced staff did not immediately intervene to physically separate the youths from each other, however other youth got involved to de-escalate the situation and stop the fight. The youth who was assaulted had a bloody nose, a gash at the back of his head, and bruising to his body and was transported to a hospital for evaluation".

**SOA Response:** On the day of the incident, SOA staff were well within the program student to staff ratio, however two of the staff were still within their 180 days of receiving RCYCP certification. At the time the incident occurred, the RCYCP staff member left the area to use the restroom. The inexperienced staff did not employ their Interactive Supervision training and continued to interact with only a small subset of students. The Program Director had been on shift earlier in the day and the Shift Supervisor was to be on shift in the evening. Due to a staff shortage, there were a few hours in the afternoon where the senior staff member was to be in the lead position. It could not be helped that he needed to use the restroom, however, as lead staff; he did not direct the new staff on positioning and supervision.

SOA will continue to require that all new hires begin the RCYCP certification process immediately, and work to ensure that the new staff members are working through the process diligently. Direct care shifts will be cut from 12 hours to 8 hours, and there will be a supervisor and/or administrative staff on duty around the clock. Employees will be better trained on Interactive Supervision and there will be immediate accountability for those not following policies and procedures.

SOA will train staff on procedures for communication between shifts. One of the breakdowns in this situation was that a verbal altercation between the involved individuals the day before was not reported to the new shift. Staff that day were unaware that there could be possible repercussion from the previous day's event. A Problem Resolution Process should have been completed between the four individuals immediately following the previous day's event and staff should have been notified by the out-going Shift Supervisor. The Administrator on Duty was also unaware of the prior verbal altercation. Going forward, staff will be better trained on policies and procedures centered around communication and resolving issues that arise among residents. SOA Administration will ensure that staff are in place and properly trained to intercede in issues between residents and to prevent these types of repercussion incidents.

**DJS Response:** L&M had been reviewing the programs schedule on a weekly basis and working closely with the program to ensure that they had adequate coverage including certified staff. The program is currently on a CAP due to having uncertified staff working alone. Due to the staff shortage, the program was placed on a limited capacity moratorium where admissions were capped at 16 youth. L&M has not been able to monitor this CAP as



the program is currently on a placement moratorium. There are currently no residential youth.

2. "An education audit of school operations by the Maryland State Department of Education (MSDE) determined that the school at Silver Oak falsified student records and that noncertified teachers were teaching high school classes"

**SOA Response:** SOA DID NOT knowingly falsify student records. After a DJS representative cross-referenced hundreds of days of TBA (Therapeutic Behavior Aid) sheets and staff schedules, ONE record was found where a staff was assigned to the quarantine unit and also signed off on a TBA monitoring sheet. The staff member in question did in fact, monitor the quarantine unit on the day in question while another staff member monitored the day school student required to have TBA services. The staff in question gave an overview of responsibilities to the staff member filling in for him and signed off on the paper at the end of the day not realizing the impact his signature would have. The staff member thought he was doing his due diligence and at no time realized that he was doing anything wrong. Once the mistake was realized, administration stressed the importance of notifying an immediate supervisor of any contradictions in scheduling or in the inability to fulfill job responsibilities for any reason.

SOA administration followed COMAR regulations by assigning a certified teacher to cover the science courses while the teacher in question finished his remaining certification coursework. The teacher in question remained employed as an instructional aid in the classroom. The issue arose following a clerical error when the name of the teacher in question appeared on student report cards rather than the certified teacher who was covering the classes. The program will continue to employ certified education staff despite the national teacher shortage.

**DJS Response:** MSDE and L&M conducted a joint monitoring visit on March 12, 2022. MSDE requested records for related services for two youth who were assigned a one on one. It noted that some of the documentation was falsified as they had residential staff that were working on the quarantine unit but completed the paperwork stating they served as a one on one for a youth during the school day. L&M was only aware of the staff providing coverage on the residential side of the program as the program was submitting weekly staffing schedules. When asked, the program confirmed that the staff was working on the quarantine unit and was not working in the capacity of a one on one. MSDE stated that they would contact the local school system to inform them that the youth did not have a one on one and should not pay for those services. MSDE placed the program on intensive monitoring on April 18, 2022. The Department continues to work with MSDE to ensure that the school is in compliance with all regulations. L&M receives MSDE reports and follows up with the program to ensure compliance.

## Morningstar Youth Academy

### Page 44

1. "Lack of staff supervision contributed to an influx of contraband on campus during the second quarter." "In Incident 170546, two vape pens, a charger, and nicotine packets were found on campus. In Incident 170556, a school laptop, laptop charger and lighters were found behind a unit drying machine. Additionally, youth were prohibited from utilizing the local YMCA for recreational purposes due to concerns about items being stolen during times when youth from Morning Star were on-site.

**VQMS response:** The program conducts regular searches of the living units and surrounding areas and buildings. Regarding Incident #170546, and through the review of the situation, it was believed that one of the youth's parents brought in the contraband. Upon completion of each on and off site visit, every youth is searched. Although visitors are not permitted to bring in purses, bags on any other belongings they are not searched. The program also ensures that visitation is supervised by at least one staff and the visits are under camera surveillance. The camera footage from the visitation was reviewed but determined to be inconclusive. As a result, of this situation, the programs Case Manager reviewed visitation rules and expectations with all family members and the one family in question had visitation privileges temporarily revoked.

The program is an active program that conducts many off and on site activities. There are also several youth involved in volunteer projects and off site employment. As a result, of this incident, the program ensured that all youth returning from work or any off grounds activities are searched. In regards to the laptops, all school laptops were collected, inventoried and secured off site. In the event that a youth requires a laptop for supplemental learning, it will be signed in and out by a member of the education department.

The program would like to provide clarification regarding this statement. Although the program was contacted by the local YMCA regarding missing items, they were never prohibited from utilizing the YMCA or its services. None of the missing items were ever recovered by the program and the owners of the items could not implicitly state that they lost the items at the YMCA. There was a situation in early March where a cell phone was recovered at the program. The youth stated that he was able to take it from an unsecured locker at the YMCA. The program contacted the YMCA but no cell phone was reported missing. It should be noted that the program suspended their use of the YMCA due to pending summer weather, as there was no need for indoor recreation.

**DJS Response:** L&M reviewed all VQMS incident reports for compliance and provided technical assistance to the program regarding campus security and prevention of contraband on campus and the securing of laptops. L&M continues to monitor to ensure that VQMS is in compliance with COMAR 14.31.06, and VQMS' policies as it relates to campus security and supervision of youth.

2. “A flawed approach to security protocols continues to be an issue at Morning Star. In Incident 170176, a youth grabbed a staffer's personal backpack that the staffer brought to a youth cottage living unit. The youth then ran out of the cottage and another youth followed the fleeing youth. The two youths took the staffer's keys from her backpack and stole her car. Another staffer arriving at the facility spotted the youths driving away in the staffer's car. The youths were apprehended by law enforcement the next day. When questioned about the decision to run away from the facility, one of the youth stated that he "wasn't getting the right treatment and was bored" and wanted to "get back home to Baltimore". The same youth also reported that it was common for staff to keep their personal keys with them on the unit, and he suspected that the staffer's keys would be in the bag that she brought to the living unit. Further inquiries revealed that staff are not consistently searched when they arrive on campus and that key control procedures are not routinely followed.”

**VQMS Response:** The program reviewed the key control logs from the three weeks prior. It was evident that the staff signed her keys in and out during the reviewed period. It also became apparent that during the reviewed times, program staff adhered to the key control policy of signing their keys in at the beginning of their shift and out when they left. It was also apparent that staff did not sign their keys in and out when they took scheduled breaks. The staff member received staff action regarding this incident. The key control log was amended to include any signing in and out of keys due to breaks. The program instituted the searching of staff backpacks at the start of each shift and upon return from breaks. The program believed this will provide another level of supervision regarding ensuring that human error does not occur. The program has also reviewed with the staff the importance of logging their keys in and out after each break. The program offers a variety of services, to include but not limited to weekly mental health and substance abuse individual sessions and groups, life skills, wellness, education, on and off site vocational and recreational opportunities.

**DJS Response:** L&M reviewed all VQMS incident reports for compliance and provided technical assistance to the program regarding the supervision of youth. A review of incident 170176 resulted in deficiency finding and a request for Corrective Action Plans (CAP). L&M reviewed the CAPs during a July 12, 2022 visit. L&M found that VQMS was in compliance as it relates to youth to staff ratio. However, VQMS failed to maintain compliance with the Key Control CAP. L&M continues to monitor to ensure that VQMS achieves compliance with COMAR 14.31.06, and VQMS' policies as it relates to Key Control and youth to staff ratios.

3. “It is imperative that administrators at Morning Star take active measures, including enhanced staff training and accountability, to improve supervision and safety at the facility. During monitoring interviews, youth expressed a need for more organized activities both on and off campus to help reduce high levels of downtime and boredom. An indoor gym is unusable during summer months because there is no air conditioning, the outside basketball hoop is broken, and the on-site pool is not consistently utilized because of a lack of lifeguards.

Leadership at Morning Star should organize more structured events and activities based on youth and staff input and interests.”

**VQMS Response:** Each staff receives forty hours of orientation training and a minimum of forty hours annual training. Per the program’s policy, any staff found in violation of policy and procedures receive progressive staff action to include but not limited to additional training and refreshers. The program offers multiple on and off site activities. The indoor gymnasium can be utilized when needed, the program has two certified lifeguards and the pool is used at least five days per week. The basketball hoop broke due to excessive use and the program purchased a new hoop. The program also offers a weight room and uses local facilities to play sports such as kick ball and softball. The program also actively trains for events such as Duathlon’s and Running Races. The program also participates in regular off site volunteer projects.

**DJS Response:** L&M monitors the program to ensure all staff receive the required training. At this time, the program is in compliance with staff training as outlined in COMAR. L&M reviews all incidents and when a deficiency is noted reviews documentation noting the retraining or discipline given to employees. L&M reviews program schedules and receives information weekly on outings provided by the program.

# **JUVENILE SERVICES EDUCATION PROGRAM RESPONSE**

On July 1, 2022 the Juvenile Services Education Program transitioned to the Juvenile Services Education Program (JSEP) as required by HB 497. JSEP Leadership is working to expand partnerships and develop policies that will improve educational outcomes for students.

## **EFFECTS OF COVID-19 MITIGATION MEASURES ON INSTRUCTION**

Currently, DJS/JSEP are working to increase bandwidth for teachers and students where possible and testing the use of encrypted USB drives that can be used to download classes to Chromebooks. In the long term, DJS/JSEP plans to expand Wi-Fi in all DJS facilities.

JSEP is developing a tracking sheet for IT to pin-point where the equipment will be needed to help enhance educational programming. Students with access to Internet are provided Chromebooks on the quarantine units and take part in instruction virtually. Every effort is being made to have as much in-person instruction as DJS policy will allow, while keeping the safety and health of the students a top priority. All school principals are ensuring that special education services are being provided and all accommodations are being met.

JSEP continues to look for ways to improve educational outcomes for all students, including those who are not able to come to school.

## **STAFFING**

JSEP leadership meets weekly with the DJS Human Resources unit to discuss the recruitment plan and incentives to retain qualified teachers. JSEP staff have participated in statewide hiring events in which candidates are interviewed and screened at the event.

In terms of marketing the job openings, JSEP has purchased advertisements in a nationwide educational journal. JSEP has also posted the job announcements on education-specific job boards and sent job postings to local colleges and universities. To supplement this education-focused outreach, DJS posts all education recruitments on its social media platforms, which reach thousands of followers.

JSEP seeks to provide an education experience where teachers feel supported and appreciated, work in an environment of transparency and, most of all, are committed to improving the lives of young people in the juvenile justice system.

## **MENTAL HEALTH TRAINING FOR EDUCATORS**

DJS mental health professionals and JSEP worked together to provide mental health services and lessons about mental issues in the classroom during the summer session. JSEP staff also attend weekly treatment team meetings to exchange information about each individual student with DJS mental health professionals, facility case managers, and DJS direct care staff. These

meetings provide information to the JSEP school staff, which is used to improve educational outcomes for students.

## **POST-SECONDARY AND CAREER AND TECHNICAL EDUCATION OPTIONS**

Expanding post-secondary opportunities for students is a priority for JSEP. The JSEP Post-Secondary Opportunities policy is meant to ensure high school graduates enrolled in JSEP schools are provided 2.5 hours of postsecondary education each school day.

Memorandum of Understandings with Frederick Community College and Anne Arundel Community College, respectively, are being finalized. The partnerships with two respected community college programs will provide students with opportunities to take college level and vocational courses. JSEP envisions executing similar agreements with other community colleges throughout Maryland.

Students also have the opportunity to enroll in a variety of certification programs including ServSafe Food Handler, ServSafe Manager, OSHA 10, OSHA 30, Conover Workplace Readiness and the Flagger program. Currently, JSEP students are able to prepare for and take the College Boards' Accuplacer exam to determine college placement in credit-bearing courses.

In this past quarter, six students from Backbone Youth Center successfully completed a welding course through Garrett Community College and earned welding certificates. JSEP plans to expand this program to other facilities. In addition to the welding program, three students recently took a Heating, Ventilation, and Air Conditioning course from Garrett Community College.

JSEP students from across the state benefited from career planning events that took place over the summer in a four-part virtual Career Exploration Guest Speaker Series. The series included representatives from Under Armour, BGE, Department of General Services, United States Postal Service, Afro Newspaper, Frederick Community College, Flagger Force, Panda Exteriors, Southern Life Realty, and many other Maryland companies, giving the youth an opportunity to ask questions and learn from these accomplished Maryland leaders.

## **INDIVIDUAL LEARNING PLANS**

The Individual Learning Plan policy requires JSEP schools to initiate and continually update Individual Learning Plans for all enrolled students to encourage planning, goal setting, and preparing for the future. These plans allow teachers, school administrators, parents, counselors, public school liaisons, case managers, and students to collaborate to improve educational results for youth in a JSEP school. Any electives needed for graduation are written into the plan and are provided by JSEP either through offered coursework or outside classes such as the APEX courses and physical education through Educere online learning.