



Maryland Department of  
**Juvenile Services**  
Treating • Supporting • Protecting

**June 1, 2010**

**DJS Response**

In response to the first quarter reports from the JJMU, DJS has worked with its facility Superintendents and its licensed programs to provide comments to findings in each report. These comments are provided below. DJS thoughtfully considered the reporting and suggestions provided by the JJMU and will take corrective action in areas in need of our attention and response. As always, DJS is committed to providing the highest standards of care in our facilities and we continue to work diligently with an eye toward both the public safety and our youths' success. For ease of review, please reference the JJMU report for each facility or program when reviewing each individual site's response.

**DETENTION CENTERS**

**Alfred Noyes Children's Center (Noyes)**

**Page 2**

The ACA standard that the Monitor reference does not apply to Noyes – it applies only to newly constructed detention facilities.

The Monitor infers there may be a safety concern because youths' rooms are locked during sleeping hours. Noyes staff conduct frequent checks of all youth throughout sleeping hours. Youth who have to leave their rooms during sleep hours for any reason would be escorted by staff.

## **Page 5**

A total of 197 youth were housed at Noyes during the three-month time period covered by the JJMU Report. The JJMU reports that 10 youth stayed at the facility for 60 days or more – this represents less than one percent (.5%) of all youth at Noyes in the quarter.

## **Page 7**

We understand that the JJMU monitor contacted the Montgomery County Fire Marshal with questions or concerns about fire drills on the third shift. The Montgomery County Fire Marshal did conduct an inspection at Noyes but did not raise any concerns or require any corrective action about fire drills or other issues. The Noyes facility is a state building and therefore inspected by the Maryland State Fire Marshal. Noyes has a current fire safety inspection certificate from the Maryland State Fire Marshal; it is available for review in the facility.

## **Page 9**

Noyes has nursing coverage provided by registered nurses 7 days per week over 12 hours per day. Youth are referred out for dental care, optometry and specialty care ranging from endocrine, dermatological, orthodontic, orthopedic, obstetrical, and surgical care. The Nursing Supervisor is on call to the facility 24/7 and the facility can also contact the DJS Director of Nursing or Medical Director, who frequently monitor the delivery of nursing services at Noyes. Noyes is in very close proximity to a hospital emergency room. While after-hours coverage is in place it has rarely been needed.

Pregnant youth are provided individual medical care by the DJS Medical Director on a weekly basis and in addition referred for services to a private OB/GYN as required.

Contrary to the assertion in the Monitor's Report, Noyes is able to quarantine youth for medical reasons should that be necessary. For youth who need isolation for being actively contagious, the medical staff would first use the youth rooms with built-in toilet and sink. Noyes has had infrequent need for medical isolation but has managed this successfully under direction of medical personnel, most recently for chicken pox and influenza.

## **Baltimore City Juvenile Justice Center (BCJJC)**

### **Page 2**

The monitor indicates in the 7<sup>th</sup> bullet that aggressive incidents increased but does not take into account a higher population number. A rate calculation clearly shows youth-on-youth assaults have decreased at BCJJC from January through April (from 1.66 to 1.35 to 1.28, to 1.03 respectively) Rates account for fluctuations in population. The JJMU have

been given the rate calculation but continue to use raw numbers which do not lead to accurate conclusions.

### **Page 3**

The monitor does not indicate how many staff said that a “3 staff to 8 to 10 youth” ratio is preferred by them, but the 1:6 ratio currently utilized in the facility is well within professionally accepted detention facility standards. Nationally, 1:8 and 1:10 are commonly accepted as adequate ratios and BCJJC exceeds those ratios for staff coverage..

### **Page 5**

Post-adjudicated youth are held in detention facilities pending their placement in treatment programs for various reasons. Some youth are more difficult to place due to their offense or specialized need for treatment.

DJS has substantially reduced the pending placement length of stay during the last 3 years. The JJMU monitor indicates that “some youths spend 6 to 9 months in DJS detention centers including BCJJC waiting for a treatment bed.” This is not accurate. Statewide, 1485 pending placement youth were released from detention facilities from July 1, 2009 to May 25, 2010 (FY 2010 to date) with an average length of stay of 36.6 days - - and only 6 or less than one-half of one percent (.4%) of these youth (6 / 1485) stayed in detention facilities pending placement more than 6 months.

DJS continues to partner with the courts, Office of the Public Defender and the State’s Attorney’s Office to identify and resolve obstacles to expedite lengths of stay. At the same time, DJS conducted extensive analysis of the need for treatment beds and expanded in-state residential treatment by licensing a 48-bed treatment program for adolescent males in July 2009. The Department’s strategy to reduce the pending placement population and their length of stay in secure detention includes:

- Building in-state capacity to accommodate all Maryland youth requiring secure residential treatment;
- Evaluating and diverting youth at risk of out-of-home placement who fit program-specific eligibility criteria to intensive care coordination services using Wraparound and evidence-based programs, and partner with the Children’s Cabinet to increase the service capacity of these programs; and
- Continuing to improve case management processes and seeking to shorten interagency approval mechanisms.

### **Page 7**

The monitor states that youth indicated staff coverage is inadequate. The BCJJC management team not only ensures constant oversight of the facility on weekends but

also has designated on-call administrators when staff call out. Coverage on the units is paramount and is always first priority, in order to ensure staffing ratios are met.

### **Page 8**

Supervisors do already cover for staff needing restroom breaks. This seems to be an old recommendation from last year. This issue has been resolved.

### **Page 9**

Once again, a rate calculation would give a truer picture of these statistics than raw numbers alone can provide. As explained above, youth-on-youth assaults have decreased at BCJJC from January through April (from a rate of 1.66 to 1.35 to 1.28, to 1.03 respectively.) Without taking into account population, comparisons such as this are not true comparisons.

### **Page 12**

Ensuring youth get to school on time and in an orderly fashion may have on occasion been a prior issue at BCJJC, but it has not been during the 1<sup>st</sup> quarter. In fact, on time and orderly school movement is a strong point for BCJJC as is evidenced by observing hallway movement on any weekday morning. The BCJJC school staff and shift commanders have done an excellent job ensuring all youth consistently arrive to school on time.

### **Charles H. Hickey Jr. School (Hickey)**

#### **Page 3 1<sup>st</sup> Paragraph**

The monitor refers to youth “sleeping out” in the infirmary. During the period mentioned, the facility utilized the additional sleeping beds located in Douglas Hall. Youth were assigned an individual room as they would have been on a housing unit.

#### **Page 4 1<sup>st</sup> Paragraph**

In regards to the vacancies, the Superintendent informed the monitor that a request to fill had been submitted and that filling the positions was in progress.

#### **Page 5 Staff Supervision**

All youth allegations were forwarded to OIG for investigation.

### **Page 5 Paragraph 3**

As to the youth who indicated his shower time was cut short: the youth became verbally aggressive as staff gave several directives for youth to exit the shower. At that point, staff continued to redirect the youth but the verbal instructions were not successful in changing the youth's inappropriate behavior. Staff then placed youth on an open door "time out."

### **Page 5 Paragraph 4**

As to youth complaints during the first three months of 2010 that staff had not allowed them to call their public defenders or case managers/probation officers: this is possible due to the unusual event of several snow storms during the period, in which Maryland declared a state of emergency. Case Managers (who are responsible for logging and giving phone calls) are not considered essential employees for purposes of reporting during such an emergency, however, accommodations were made and youth were given phone calls as much as possible under the circumstances.

### **Page 5 Paragraph 5**

The OIG Investigator reported that it was determined the staff had not used profanity towards the youth.

### **Page 6 Paragraph 5**

On an unannounced late night visit, the monitor observed lack of supervision on Roosevelt and Clinton Halls. The monitor indicated there are not any Unit Managers to provide oversight to direct care staff.

This is not accurate. The identified youth was mopping the floor of the recreation area while the direct care staff positioned themselves in close proximity to him. Staff are required to monitor the youth with the electronic Tour Guard System at thirty minute intervals while youth are in their rooms at night.

Unit Managers provide supervision of the day to day operations of the units. Each unit has a Unit Manager assigned. Throughout the Department, Shift Commanders are considered the Managers on duty and provides the overall management of the facility.

### **Page 6 Education**

During the reporting period, there were two special education vacancies at Charles H. Hickey School. Measures were taken to provide instruction to special education students, including reassigning other staff. Students residing on the infirmary are scheduled to receive at least six (6) hours of special education services per week as is required by COMAR and as documented in the Juvenile Services Education Program proposed

regulations and the Program's Special Education Home and Hospital policies and procedures.

It should be noted that in April 2010, both special education vacancies at Hickey were filled. Hickey now has four special education staff to provide special education instruction and related services.

### **Page 9 Fire Safety**

Upon the implementation of the emergency fire watch and watch man patrol, the log book indicates checks did occur as required within 15 to 30 minutes the entire time.

### **Page 10 Fire Drills**

The staff documented the fire drills on the fire drill form, however, did not document in the log book. This is not a clear indication that the fire drills did not occur but Hickey staff will be reminded to write their activity in both places.

### **Page 12 Vocational Program**

The MSDE Juvenile Services Education Program provides career technology education through the Computer Literacy class.

### **Page 13 New Resident Orientations**

The monitor writes that during the closing of Ford Hall, Case Managers were responsible for providing orientation sessions and many youth files did not contain a certificate of completion of Orientation. The forms have been completed, however, at the time of the visit, had not yet been placed in the base files.

## **Cheltenham Youth Facility (CYF)**

### **Page 2**

The monitor writes that a comprehensive program needs to be developed by DJS administrators in conjunction with mental health services to address the needs of youth involved in aggressive incidents. There has been and continues to be a comprehensive mental health program at CYF, well beyond what detention facilities typically provide. Below is a summary list of services provided by Mental Health to address both aggressive behaviors as well as suicidal behaviors as needed:

- Daily Psycho-educational Groups on each housing unit
- Individual counseling

- All youth receive clinical assessment within 24 hours after admission administered by a licensed social worker
- Transition Discharge Planning
- IEP and Mental Health Counseling daily during school hours
- All youth new to the facility are assessed for high risk behaviors including suicidal and aggressive, assaultive behaviors
- Psychological and Psychiatric testing
- Youth displaying aggressive assaultive behaviors are assessed daily and are provided the support of a licensed social worker
- On call mental health support is provided to the facility 7 days per week from 8 p.m. to 8 a.m.
- Crisis intervention
- Crisis management for difficult to manage youth using three clinical steps: Identify Triggers, Behavioral Assessment on the unit and staff planning and as needed a comprehensive crisis management plan, called a Guarded Care Plan, is developed and implemented for youth. The Plan is disseminated to all housing units and the school, and training provided to staff to assist with behavioral management
- Aggression Replacement Training (a program designed for delinquent adolescents to develop skills to control anger and use more appropriate behaviors).

## **Page 2**

The facility including the youth cottages is old but the cottages are far from “unfit for youth occupancy.” The staff and residents at CYF take pride in maintaining clean and safe living environments. In addition, the entire campus including the housing units are inspected daily by Supervisors and Child Advocates and weekly by Administrators. Cheltenham is presently in compliance with all Health Inspector and State Fire Marshall Inspections. As the JJMU are aware, CYF is the first detention facility slated for replacement in DJS’ Capital Plan.

## **Page 3**

CYF does not have cells; all youth are assigned to a room on a Housing Unit based on the facility’s Classification Plan. The plan takes into account the youth’s offense history, mental health issues, present charges, etc. and the youth is assigned based on whether he scores low, medium, or high on the assessment.

## **Page 5**

The interim Facility Administrator and the Regional Director are working closely with the Judicial Branch on reducing the population and ensuring all youth that meet Alternatives to Detention (ATD) Criteria are appropriately placed and moved out of detention.

## **Page 6**

Staffing ratios required for youth supervision are met consistently on every shift. Overtime is utilized as needed to maintain the required ratios.

## **Page 7**

The staff member mentioned in the report was disciplined in accordance with the Department's Standards of Conduct. Also it should be noted that Child Protective Services (CPS) and the Maryland State Police investigated this incident and determined the allegation was not substantiated, e.g., neither agency cited the staff for Child Abuse.

## **Page 8**

As to the youth described who spent time away from his peers (this youth was not on seclusion), the monitor failed to explain that the youth refused to contract for safety, nor would he agree not to further assault peers or staff and he continued to incite his peers by making racially derogative statements. The monitor further omits the fact that the youth was maintained away from the larger group for his own safety but continued to receive all required programming access to educational services, mental health services, medical services, recreation, and visitation. Although the youth clearly met criteria to be placed in and remain in seclusion, the facility opted to take a more therapeutic approach and address the needs of the youth through a collaborated effort which was agreed upon by all disciplines mentioned above instead of using seclusion.

It should be noted that neither the Maryland State Police nor CPS sustained on the staff for child abuse. OIG cited the staff in question for excessive force, not abuse. The youth was charged with assault because he spat on the staff and allegedly struck him as well.

## **Page 10**

During recent meetings with the monitor, DJS advised that prior to the Secretary's tenure there was no surveillance equipment installed at CYF. Presently all common areas in the facility have surveillance cameras and efforts are underway to place surveillance cameras on the perimeter of the facility. In addition staff are required to periodically check on youth engaged in therapeutic sessions that require confidentiality and no clinical staff are allowed to be alone for extended periods of time without direct care staff in close proximity. It should also be noted that improved vision kits have been ordered and requested to better enhance the ability of staff to view into counselors, therapist offices, etc. enhancing supervision during confidential sessions.

The monitor also acknowledged that during recent reviews of incident reports, staff had discovered various types of contraband which indicated effective searching is successfully in place. The monitor was also made aware of plans to quickly implement a more random system of searches to make them even more unpredictable than they are presently.



## **Page 13**

The monitor notes that the weight room should be modernized and re-opened. Presently the facility is collecting bids to repair the equipment..

## **Page 15**

Staff receive Safety and Security training each year as part of their mandatory 40-hour training requirement. It should also be noted that other departments such as educational staff, mental health staff, and medical staff have also received safety and security training which addresses movement and supervision..

## **J. DeWeese Carter Center (Carter)**

### **Page 2 Population**

The rated capacity of the facility is 15 youth.

### **Page 5 Safety and Security**

The facility is currently researching whether procuring equipment (such as the personal alarms) is useful and would be possible in the current fiscal climate.

Cameras for the school building are dependent on available funding.

### **Page 8 Rehabilitative and Recreation Programming**

The basketball court can currently be safely used for youth recreation. Resurfacing will be pursued as funding is available.

### **Page 8 Mental Health Services**

Carter has one facility Clinical social worker.

## **Lower Eastern Shore Children's Center (LESCC)**

### **Page 4 Staffing**

The facility is currently recruiting for the vacant Group Life Manager position. One position for Cook will be filled pending completion of personnel procedures.

### **Page 5 Staff Training**

All direct care staff Crisis Prevention and Management Training is provided in conformity with MCTC approval and DJS policy.

### **Page 6 Safety & Security**

DJS is upgrading from a VCR security system to a DVR system. LESCC is currently working on obtaining bids for this system.

### **Page 8 Rehabilitative & Recreational Programming**

LESCC also provides youth with Drug Education Groups and Narcotics Anonymous Groups weekly.

### **Page 9 Parental Involvement**

Special visits are established as needed to support parents with alternative work schedules. Special visits are also given for youth who are parents themselves.

### **Page 9 Medical & Behavioral Health**

The assertion that there is any “potentially very serious” problem concerning transportation of youth medication is inaccurate. LESCC has not had a situation during the reporting period regarding medication and youth transportation. When DJS reviewed the Monitor’s de-briefing forms that are completed to identify any issues during site visits to the facility, the issue has never been written about or brought up in discussion with the facility administrator or with medical staff. Transportation of medication for the youth has been running smoothly and all medication is administered at the facility properly. This may be an old abated issue that has long since been resolved. If the Monitor is aware of any “potentially serious” issue, we ask that it be brought to the attention of the facility administrator promptly for clarification and/or resolution.

### **Page 10 Recommendations**

The Behavior Management System is implemented consistently and well at the Lower Eastern Shore. Youth are given several prompts to address behaviors before points are deducted. Supervisors have the authority to process with the youth before points are deducted. Reviewing several months of youth grievances shows that few youth disagreed with the Behavior Management System while at LESCC.

Food storage has been addressed and corrected by the Dietary Services Manager.

## **Waxter Children's Center (Waxter)**

### **Page 6**

The industrial dryer is functional and is inspected regularly by DJS maintenance staff.

### **Page 9**

Youth in the committed unit receive education as a group and separate from the rest of the population at Waxter.

## **Western Maryland Children's Center (WMCC)**

### **Page 2 Population**

It should be noted that if youth must sleep in the day room and outside individual rooms on the Pod, they are generally youth who have earned the highest band level in the facility's behavior management system – meaning that they have displayed positive behaviors in the facility for an extended period of time.

### **Page 3 Staffing**

Currently, WMCC has 25 Resident Advisors and the vacant Resident Advisor Supervisor position has been filled. This section mentions the need for an additional Social Worker and Addictions Counselor. Although additional staff is always a benefit, the current needs of youth concerning substance abuse and mental health are being met.

### **Page 4 Staff Training**

Privately operated residential programs (in which some lower-level DJS youth are placed) also include DHMH group homes and facilities that offer treatment and supervision of much younger and sometimes developmentally disabled youth. A detention facility restraint curriculum would not be appropriate for youth in those venues. It is however, appropriate for DJS detention centers who manage older and more aggressive teenage youth who have committed delinquent offenses. The differing populations give an understandable reasoning as to why the JIREH curriculum is used in our detention facilities, and why it has been approved for use by DJS by the Maryland Correctional Training Commission.

### **Page 5 Safety and Security**

WMCC has recorded 24 restraints not 25. This report discusses an increase of youth injuries during restraints. As with all other categories in regard to incidents, a reduction in injuries during restraints also took place this quarter. It is possible that the additional training provided in Crisis Prevention and Management has assisted in this area.

WMCC staffs all outdoor recreation with an appropriate number of staff. Three staff members are present and posted properly at all times during all outdoor activities, and this level of staffing assists to provide the required security.

### **Page 6 Physical Plant**

The report notes that youth sleeping rooms needs to be repainted, but this issue was addressed immediately following the initial JJMU visit discussing this concern and has been remedied.

### **Page 8 Education**

The monitor notes that the facility has adequate classroom space unless the facility is over capacity. When over capacity, teachers often will educate youth on the Pods which are not designed for educational purposes. When over populated, the education staff will rotate Pods into the classrooms throughout the day. For safety/security issues this appears to be the best practice at this time. When on the Pods, educators will teach class just as if in the class room.

Regarding the monitor's assertions about post-GED and high school students: when a student who has been issued a high school diploma is admitted to WMCC, he participates in the Graduate Program while in school each day. The Graduate Program is a multi-pronged approach to the students' needs. First, an interview of the student is conducted to ascertain what he was associated with concerning education and / or work prior to being detained. We also help students set goals for their future education and / or work if they have not already done so. With this information the teacher supervisor or designated instructional assistant will work with that student and /or outside agencies to gather information and activities, which will help him either, research his interests or continue working toward it.

Second, the student is given a binder which will be used to keep all of the life skills / employability skills assignments he completes while in the facility. Each school day the student will be required to continue work on the numerous assignments that constitute the life skills program for graduates, which includes, but is not limited to, identifying community resources, understanding taxes, setting goals, and exploring career options. The instructional assistant assigned to maintain the students' binder will meet with the student to discuss his progress and to further discuss concepts presented in the binder.

Third, the student is asked to become part of the classroom by participating in career exploration class, as well as acting as a tutor to other students or as a teacher's assistant through activities such as grading papers. In this way the student is not only working independently toward his own goals, but is also developing leadership and responsibility through his interaction with other youth in the academic setting.

Finally, if the student is going to attend community college or college, he is encouraged to work through assignments in higher level English and math texts in order to prepare him for the college admissions tests and / or the basic courses he will be required to take during his freshman year.

Regarding vocational options, all students in the graduate program are given a vocational self-assessment within a week of admission to WMCC. From the results of the self-assessments students are given the opportunity to research a career of their interest in order to find out educational and skill requirements for the job. Students may be asked to create a power-point presentation based on their research, as well as an annual, monthly, and weekly budget based on the salary they would make within their chosen career. One goal of the class is to expose students to a variety of career clusters (tracks) through discussion, reading, research, and video, in order to allow students to explore the possibilities the work-force has to offer. For students in attendance for a short period of time, much of the class focuses on appropriate decision making concerning their future with an emphasis on career and educational choices. Students who are in class for more than a week will develop employability skills by receiving instruction in such areas as goal setting, job searching, and completion of applications, resumes, and job interviews. Career Exploration also offers students information on current job trends, economic issues, and financial planning.

### **Page 9 Programming**

The monitor indicates that overall programming activities are still lacking at WMCC. During this quarter youth participated in a MLK essay contest and creation of a bulletin board. Youth observed African American legacies throughout the month of February and participated in several arts and craft projects. Several guest to include Art Hicks, Earl Stoner, Lambert Horton, Darrell Lyles and Darren Mency visited WMCC as guest speakers. The WMCC education team offered several activities and projects to introduce the Winter Olympics and Olympians. It should be noted that a total of 795 programming hours took place during this quarter.

Though outdoor recreation is preferred, the weather in January, February and March made it is unlikely that there were many days that taking the youth outside would have been appropriate or that the youth would have wanted to go outside.

### **Page 10 Mental Health Services**

The social worker not only meets with individuals needing his services “as often as feasible” but he also reviews all MAYSI screens and uses that information to gauge which youth require more attention initially. The social worker also meets with the youth who have counseling as a component in their Individualized Education Program and he conducts “Anger Management” groups with youth from all of the Pods.

## **Page 10 JJMU Monitoring**

The policy of facility staff escorting monitors in DJS facilities has been explained in numerous communications from DJS to the JJMU and will continue. Monitors may always speak to youth and staff alone so there is no hindering whatsoever of their job functions.

## **TREATMENT CENTERS**

### **Youth Centers**

- **Backbone Mountain Youth Center**
- **Green Ridge Youth Center**
- **Meadow Mountain Youth Center**
- **Savage Mountain Youth Center**

### **Page 2 Introduction**

The report notes that Revelations is a substance abuse program lasting a minimum of 120 days and a therapeutic program averaging six to eight months. Both Revelations and the therapeutic program average six to nine months for the youth.

### **Page 3 Section 1.a.**

The monitor states that most of the youth now placed in the Youth Centers also require one-on-one mental health (MH) services. The actual breakdown of exactly how many/what percentage of youth who are referred for one-on-one services as of May 2010 is below:

16 of 40 youth at Greenridge have been referred for MH services (40%)

18 of 31 youth at Savage have been referred for MH services (58%)

19 of 40 youth at Meadow have been referred for MH services (47.5%)

Approximately 23 out of 48 youth at Backbone have been referred (48%)

This is obviously not “most” youth. However, DJS is proud of the professional level of MH services provided to our youth, some of whom struggle with grief issues, past trauma, and family relationship issues. Referral for MH services, when required, is exactly what a treatment center should provide.

## **Page 7 Safety and Security**

The table regarding incidents: 1<sup>st</sup> Quarter 2010, Meadow Mountain has recorded 4 incidents, monitor reported 8. Note that all others were inappropriate conduct/medical related.

The table regarding incidents: 1<sup>st</sup> Quarter 2010, Savage Mountain has recorded 8 incidents, monitor reported 11. It is important to note four of the eight restraints were “directive touch” which is reported in the western region but is not a restraint per DJS policy.

During the decrease in population to 12 youth at Savage Mountain from the timeframe of June 2009 – September 2009, Savage experienced only 2 youth on youth/restraint incidents.

In reference to the monitor’s footnote on bottom of page 7, the monitor leads the reader to believe that Savage Mountain’s population remains at 12. The center started to increase population on September 11, 2009. From September 11<sup>th</sup> – March 25<sup>th</sup> the population at Savage was 24 youth. On March 26, 2010 the center started increasing population back to full capacity. The center’s current population is 31 youth.

### **Page 7 Section 3.a.**

The monitor states that aggressive incidents have increased significantly at all four Youth Centers since 2005. The JJMU are aware that DJS began a new database and incident reporting requirement in late 2006. The incident numbers from 2005 and those from 2010 cannot reasonably be compared for that reason. Also, all of the Centers’ numbers will increase or decrease depending on the population and culture that they have at different times. Green Ridge, for example, did see a decrease for CY 2009 due to many reasons but DJS cannot predict the numbers they will see for CY 2010 and cannot attribute any changes in numbers solely to treating more aggressive youth.

The Youth Centers do not admit inappropriate youth for their programs; youth are very thoroughly assessed by the intake office and determined to be appropriate based on defined admission criteria. There are no guarantees with any youth as to how he will manage within the program but the Youth Centers serve troubled youth in a safe, open environment and have a track record of tremendous success with many of them.

### **Pages 7 & 8 Incident-Related procedure, practices, and reporting**

The monitor was directed to not only DJS’ Suicide Prevention policy but also to the recommendations of the expert they have quoted in their report. DJS does not take lightly the fact that at any time and often without warning, teenagers can and do take their lives inside detention and committed care centers. In order to be as prepared as possible for

any such emergency, DJS follows recognized practices and requires that our staff carry a cut down tool in order to immediately cut a ligature and potentially save a child's life. Lindsay Hayes, a nationally-recognized expert in suicide prevention, did indeed review DJS suicide practices and at no time did he find a safety issue with staff carrying cut-down tools. He highly recommends, in fact, that these kinds of tools be immediately available. Locking them away in boxes makes them far less accessible in an emergency. In case a staff were alone when he found a youth, he would have to leave the youth in order to retrieve a cut down tool.

The monitor writes that "the DJS Detention Standards require that staff carry cut down tools, but appropriate procedures in a detention setting may not be appropriate in a committed care setting." First, this is not only required in the detention standards, but in policy as well. Second, research from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) website specifically shows that committed youth (such as those at the Youth Centers) are at higher risk for suicide than youth who are detained. Though DJS has not had a suicide at the Youth Centers, we believe these prevention measures to be very appropriate.

## **Page 9**

Female staff are present in the dorm when male youth are moving to showers but there are several ways this can be done safely with no embarrassment for the youth. For example, youth at Meadow Mountain wear boxers under their towel while going to and coming back from taking showers. The shower stalls have shower curtains where youth's feet can be seen and all youth properly accounted for. The only time that a female staff could potentially see a youth unclothed is if there is a physical altercation while the youth is in the shower stall taking his shower. We rely on the training/professionalism of our female staff to handle these very infrequent circumstances appropriately and the youth to comply with camp norms/policy/shower policy.

Backbone Mountain's procedure is for male staff to switch with female staff during times when direct supervision of showers is needed. Since female staff are an integral part of our staff team, they have entered the shower room when an altercation has taken place; this is an unusual but necessary part of their job. With some facilities having a high percentage of female staff, restricting them in this area negates their usefulness and effectively creates a perceived staff shortage.

## **Page 9 Physical Plant**

Resurfacing at Savage Mountain Youth Center has been requested through Capital Budget. The Maintenance Chief for Savage Mountain has hot patched several damaged areas throughout the center.

Bids have been received for blacktop resurfacing at Backbone and will be completed in the near future.



The gym floor at Green Ridge is out for bids and should be completed before the end of summer. The youth continue to be able to use the gym for several activities that can be done safely. The shower room may be old but maintenance keeps it operating and updated in regards to plumbing and tile repairs. It is safe and sanitary.

### **Page 10 Basic Services**

All youth at Meadow Mountain Youth Center receive a set of thermal underwear. Thermals are used during all workouts and extreme weather conditions.

All youth at Savage Mountain Youth Center receive two sets of thermal underwear.

All youth were issued thermals at Backbone and no youth were ever kept outside for two hours.

### **Page 10 Education**

The monitor showed concern about scheduling of teachers “professional days” and inferred that school is closed around a holiday weekend and is closed sometimes for up to 9-10 days. The Youth Centers’ school calendar mirrors the MSDE school calendar used in DJS facilities in which MSDE currently operates, including the same number of professional days annually. Third, when counting the professional days, only on three occasions (Memorial Day, Labor Day, Christmas) are the schools closed for students. On these three occasions, they are closed to students for only six (6) school days, not 9-10 days.

#### **Special Education**

DJS has a clear and documented commitment to serve the needs of every student in our care. Therefore, if additional specialized related services are required, we have the authority to contract for these services (e.g., speech pathologist). There are many reasons that adjudicated delinquent students may “act out” in school but to state that students with low cognitive abilities “act out” more frequently than other students is not supported by any evidence.

#### **Classes**

According to DJS policy, every student receives six (6) hours of educational instruction per day. Our students receive this instruction in a traditional classroom setting and in non-traditional experiential field work. Although our school schedules vary slightly from school to school, they each flow from the same vision and mission. Furthermore, the school program is recognized throughout the state as a model for adjudicated youth. In fact, a teacher at our Meadow Mountain School has been selected through a national competition to receive a *Best in the Business* award by the American Correctional Association, an achievement that will be highlighted in the June ACA newsletter. Finally, regarding the world of work program/career technology education, our students receive a wide array of work experiences from mock interviews, resume writing, career exploration, and field work to name but a few. Presently, we received great news that our

program was selected to begin a residential Civic Justice Corps program for adjudicated youth – unique in the nation. Our youth will receive an hourly wage for a 180 hour capstone program in support of our state lands and non-profit initiatives. Upon release, each student will have compiled a portfolio of certificates, a resume, and critical life documents. Finally, each student will have the money to take care of any existing restitution.

The monitor writes that youth not returning to school enter the GED or Pre-GED program, but are not prepared to enter the workforce. It is critical for any student entering the workforce to have earned a Maryland High School Diploma – either from a traditional high school or the GED program. That education is stressed at all four Youth Centers. In addition, our Guidance Counselor developed a vocational assessment that reflects MSDE career clusters. Upon admission to the Youth Centers, every student is administered this assessment as they begin to think about life beyond our care. From education to EQUIP, every component of our program focuses on the behaviors and attitudes one needs to be successful not only in the work place but life in general. There are also several certificate programs in place at the Youth Centers: Carpentry (Green Ridge and Backbone); automotive (Savage) and aquaculture (Meadow). In addition to these programs, we have fully functioning AmeriCorps programs in each Youth Center as well as the Civic Justice Corps.

The college program not only offers college preparatory courses (i.e., English 92), but also the opportunity for our students to earn between 6 and 12 college credits. The AmeriCorps Education Award funds can then be used to pay for tuition at any institution of higher learning or certified technical program.

### **Page 11 Therapeutic Program**

It is the monitor's opinion that there may be some correlation between the group size at Savage Mountain and the increased incidents of aggressive behavior. However, in the spring of 2009, Savage Mountain attempted four therapeutic groups (nine youth in each group). Due to physical plant configuration, there was excessive intermingling and group confidentiality issues resulting in group continuity being compromised. Therefore we went back to the three therapeutic group concept.

Upon completion of Meadow Mountain Youth Centers' Ropes Course, a new telephone pole for our zip line will be requested through Capital Budget. Savage Mountain will utilize the Ropes Course at Meadow Mountain.

### **Page 15 Youth Advocacy, Internal Monitoring and Investigation**

The grievance process is not useless and many things have been changed through this youth-centered process. No staff have "burnt" or threatened to burn a youth for filing a grievance and disciplinary action would be taken if it did occur. Again, the JJMU only cites "some youth" but does not say how many or at which of the four Youth Centers this

came up. Instead, the monitor seems to have elevated the feelings of “some youth” into a conclusion in an official report without data to back it up.

### **William Donald Schaefer House (WDSH)**

#### **Page 5**

The DJS maintenance department will be assisting WDSH in the removal of old furniture and cleaning of the basement.

#### **Page 6**

We will once again review the health inspection requirements but we were informed that the Health Department does not do any inspection of the WDSH kitchen because no food is prepared there. The dietary department at BCJJC provides weekly health inspections of the WDSH kitchen. The WDSH Emergency Procedure Manual describes procedures for partnering with BCJJC in providing emergency food supplies.

#### **Page 7**

The youth are responsible for keeping their rooms and the general home clean and tidy; this provides a normalized environment similar to youth who have chores to complete at home.

#### **Page 9**

It was indicated that the facility case manager should complete and update Treatment Service Plans as required. The case manager completes a treatment service plan update as required.

#### **Page 10**

As for the Youth Advocate holding one-on-one discussions with youth in privacy, this is absolutely permitted and there is an area designated where the Youth Advocate and resident can have a one-on-one discussion.

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

#### **Page 1 and 5**

The DJS Community Detention Officer attempted to install GPS equipment on a youth who had left Victor Cullen on a home pass but the youth was not at home for the

installation as required by DJS protocol. As a result DJS requested a warrant for the youth's apprehension. The youth was apprehended and was not returned to Victor Cullen.

## **Page 2**

Nearly all direct care positions and the social worker supervisor positions have been filled. Recruiting is ongoing when positions are vacated.

## **Page 3 Staff Training**

The monitor notes that additional training in PPC would prove helpful. Direct Care staff currently receive four hours of PPC refresher training annually. Ongoing training is provided in monthly treatment team meetings that are held by cottage. Individual staff are scheduled for additional training as needed.

## **Page 4 Safety and Security**

There were four, not five, incidents this quarter in which youth were in possession of contraband but all of the contraband incidents involved youth attempting to make tattooing devices or having juice in a plastic bottle in their room. None of the incidents involved illicit drugs, tobacco or weapons.

## **Page 6 Physical Plant and Basic Services**

There have been no more issues regarding the alarms systems since the repairs in March. The Maintenance Supervisor notified administration regarding the responsibility for repairs of underground wiring between Simplex Grinnell and DJS' IT Unit.

It was noted by the Monitor that on two occasions during the quarter, the video surveillance system failed. The video surveillance system never failed during this quarter; there were two power outages that took place. The back-up generator has an automatic turn on and maintenance responded to ensure that all areas were working properly.

## **Page 6 Physical Plant**

The health inspection resulted in only one violation: that the kitchen dish drying rack was flaking and peeling. The facility Food Administrator has been approved to order a replacement rack.

## **Page 7 Education**

The monitor received a copy of the Resident Advisors expectations in the school area and a draft of the post orders for VCC on 05/14/10. Post orders will not be posted on the walls through the education area, but will be ready available to all direct care staff in every building on campus.

## **Page 8 Horticulture**

The horticulture program allows students to obtain service learning credits needed to earn a Maryland high school diploma. Contrary to the Monitor's report, the students are not paid by the school to participate.

## **Page 9 Youth Advocacy**

All grievances to date have been resolved.

The VCC youth handbook is currently being reviewed and revised to be reissued to all staff and youth.

## **Page 11 Recommendations**

1. Hiring for direct care positions continues to be open and continuous. Victor Cullen is nearly fully staffed for these positions.
2. Direct Care currently receive 4 hours of PPC refresher annually. Staff are scheduled for additional hours as needed.
3. VCC administration will take recommendation into consideration.
4. DJS has a well defined and effective protocol for GPS including supervision of staff. The monitor identifies one instance of a youth being unavailable for installation of GPS during a home pass. In this one instance, DJS followed all procedures for requesting a warrant, and the youth was apprehended and not returned to Cullen.
5. Debriefing with staff takes place at the beginning of every shift. All incoming employees meet for 10 to 15 minutes with the campus supervisor of both shifts on coming and off going to receive all pertinent information that has taken place during the shift. All employees are required to read the log of the assigned post for that day and shift.
6. Repairs were coordinated and completed in March
7. Approved to replace received and ordered.
8. Monitor received items on 05/14/10
9. Monitor received draft of items on 05/14/10
10. Shoes, hygiene and clothing are replaced as needed. VCC orders only from approved vendors.
11. Revisions are currently being made to VCC youth handbook.
12. Cottage RGLMI and administration staff meets weekly with groups to address issues or concerns and are informed of the grievance process. VCC Youth Advocates have also met with all groups on campus and will meet with new admission as they are assigned.

## **LICENSED PROGRAMS**

### **Allegany County Girls Group Home**

No comments

### **Aunt CC's Harbor House**

#### **Page 3 Physical Plant and Basic Services**

The program spoke with Inspector Gavin, City of Baltimore Fire Department, concerning the Fire Safety Inspection report. Mr. Gavin stated that the report is no longer issued to the facility; if there was indeed a finding, the facility would not receive its permit.

#### **Page 4 Education**

The youth in the program attend their zoned school, and as part of the youths' curriculum may receive vocational programming. The average length of stay for the quarter for youth was five (5) days.

#### **Page 5 Internal Monitoring**

All fire drills for the quarter are filed and accounted for.

As was already discussed with the DJS Program Evaluator, any youth released from the program and that has a medical follow-up scheduled will have this information communicated to DJS.

As for the ISPs, the area of concern was that the Initial Assessment of a youth did not have his signature (this is completed within 72 hours.) All ISP's are to be completed within 30 days. The Clinical Coordinator will review with each youth and have them sign the Plan. These areas of concern have been addressed and corrected.

#### **Page 5 Youth Concerns**

As part of the Program, we have a Perk and Privilege System. The youth can receive additional outings or perks based on compliance within the program. Many perks occur more often during the weekend when the schedule is more flexible. It must be understood that scheduling outside activities is very difficult during the week for such reasons as court, youth arriving at different times from school, visits, meals, groups, etc. The program provides indoor and outdoor activities, not as many as the youth may want

which is understandable; however every effort is made to be as accommodating as possible for our youth when scheduling activities.

## **Karma Randallstown**

### **Page 1 Summary of Critical Findings**

Direct care staff do not receive specialized training from outside sources. However, they receive informal training from the Program Administrator and the two Family Therapists during weekly Community Council meetings and conversations related to the youth in the program. We are not aware of trainings being offered for counselors working directly with “low-level sexual offenders” but will be happy to provide the training if it is made known to us.

The staff person in question was removed from the work setting upon revelation to our staff of the incident. He remained on unpaid administrative leave until the decision was made by DJS Office of the Inspector General who found insufficient evidence to substantiate the allegation. We determined that the former employee should no longer work in the Karma at Randallstown setting. Ultimately we decided to not let him work at Karma Academy, even though the allegation was not substantiated and no incidents had been reported at KAB. Shortly thereafter, the decision by DJS to discontinue referring youth to the KAB program resulted in the former employee never being called to work at the program again.

The grievance policy available to youth in the Karma at Randallstown program is an alternative to the DJS grievance policy. Youth are given the choice to file a formal grievance through the DJS policy, or informally through our policy. While we do not believe this is a conflict, we will change the KHI Services, Inc. grievance policy and it will be reviewed and approved by the DJS licensing office. Confusion regarding the Resident Handbook will be resolved by modifying the current grievance policy and changing the Resident Handbook to reflect these changes.

### **Page 2 Staffing**

Information provided by Karma at Randallstown staff regarding staffing changes may have been their opinion but was not accurate. Staffing hours were reduced at Karma at Randallstown for purely economical reasons. The Karma at Randallstown program has been marginally financially successful for the past few years, following the state’s decision to change the program from a Diagnostic Evaluation Treatment Program to a small group home. As a result the program has suffered two cumulative budget reductions and, when added to the increasing costs of providing services, it was determined that this program must operate successfully on its own. As a result, the decision was made to reduce all but the Program Administrator, Family Therapist and the Lead Counselor to part time status.. When the schedule was restructured to accommodate

24 hour schedules per week, rather than 40 hour schedules per week, it opened up the need for more staff. All Karma Academy for Boys employees were given the option to consider available schedules at Karma at Randallstown. Two employees accepted the opportunity.

Sex offender training was offered to the therapists in our programs approximately 18-24 months ago. This training resulted in a certificate being provided to the therapists, enabling them to provide therapy to sex offenders. The counselors in our program are involved in non-therapeutic treatment activities. They are not a part of the therapeutic treatment component of the sexual offenders.

Staff do conduct non-therapeutic treatment groups such as Positive Peer Culture groups and Issues & Feelings Groups as well as Life Skills group following a standardized written curriculum.

Direct care staff are aware of each youth's sexual issues but their role is not to provide therapy around this topic.

### **Page 3 Safety & Security**

Response to this point is provided in the "Summary of Critical Incidents" section of this response.

### **Page 4 Rehabilitative and Recreational Programming**

Aggression Replacement Training (ART) has been established as a "promising practice" in the treatment of sexual offenders. The ART was developed by the same research group that developed the Positive Peer Culture and EQUIP models of treatment. In order to be consistent with our program model, we chose to use these models in combination.

### **Page 5 Parental Involvement**

Multi-family groups are scheduled on a weekly basis, but many parents are unable to attend that often, so groups are held on a bi-weekly basis.

### **Page 6 Youth Concerns**

Residents expressed dissatisfaction with not being able to attend prom. Youth in placement in our particular program require more supervision than may occur in other residential programs. These youth are in our care for serious behavioral issues, and some have not been in the program long enough to address the issues successfully. Therefore, we have offered youth the opportunity to attend their school prom as long as they are accompanied by one of our employees. Residents have typically not responded favorably to this decision; however, we did have a youth attend prom two or three years ago, because he had made sufficient progress and was willing to accept the supervision requirement.



## **Page 7 “Unabated Conditions”**

Karma disagrees that we are unwilling to provide therapeutic staff training courses in sex offender topics. Our Program Administrator and Family Therapists have been trained by certified sexual offender treatment professionals. Regardless, the Center for Sex Offender Management (CSOM) web site offers downloadable materials for a training seminar entitled, “Understanding Sex Offenders: An Introductory Curriculum.” We can provide this training to the direct care workers with approval from our Program Administrator.

## **Karma Rockville**

### **Page 2**

The rated capacity for Karma Academy for Boys is 13, not 12.

### **Page 2**

Regarding the alleged sexual assault, everyone involved, including the youth in question, determined the contact to have been consensual. Neither of these boys was accepted into the program as a sexual offender and did not receive a sexual offense charge for this incident. No sexual offender treatment was offered because these youth were determined not to have offended.

As a note of clarification regarding the employee accused of inappropriate interpersonal relationship with a youth – as soon as employees discovered the youth had possession of the letters the employee was terminated. The termination occurred before Child Protective Services’ decision was finalized.

## **Kent Youth Boys Home**

No comments

## **Morningstar**

No comments

## **Haddon House**

### **Page 2**

The Program Manager has submitted her application to take the childcare certification test. The Program Manager received a test date but subsequently it was cancelled. The Program Manager is now scheduled to take the test on August 11, 2010.

### **Page 3**

All incidents will be documented in the logbook in a timely manner and reported to DJS and entered into the DJS Incident Reporting Database in a timely manner. The DJS Incident Reporting Policies and Procedures will be reviewed with all staff on a monthly basis. The Group Home Manager will review the log notes on a daily basis and sign-off on the entries after review to ensure if any incidents have occurred they have been reported, documented and entered.

## **Silver Oak**

In response to the Facility Report filed by the Juvenile Justice Monitoring Unit (JJMU) for the Silver Oak Academy for the first quarter of 2010, Rite of Passage (ROP) provides the following corrections, clarifications and responses.

### **SUMMARY OF CRITICAL FINDINGS**

- **SOA has recorded five (5) students (not twelve) as awols during the first quarter 2010.**

The total awols since the opening of the program is ten (10). Three (3) of these were off-site awols. None of these numbers are acceptable and ROP has worked with DJS and law enforcement to refine procedures. Failure to follow basic supervision procedures has caused most of the runaways and the involved staff have been disciplined or terminated.

The JJMU correctly reports that three (3) students are successful completions since opening on July 6, 2009. SOA has been open for only nine months and just beginning to see the outcomes of the average nine month length of stay: one student received his high school diploma on April 1 (one day after this report); six successfully passed the GED pre-test and two more students are expected to complete their high school diploma requirements in the next quarter.

We agree with the JJMU observation "... SOA is still a new program and it will take time to develop ..."

- **DJS regulations require one awake-night staff per unit. SOA has complied with those regulations.**

ROP has decided to follow the new best practice measures offered by DJS in February and added a third awake night staff to provide backup, cover for staff breaks and provide perimeter checks during the eight-hour shift. Other measures continue to be implemented to improve awake-night coverage including call-in protocols to document awake-night staff activities and available back-up day staff, sleeping in staff quarters in the dormitory.

- **At a meeting on April 16, 2010 with DJS, JJMU and the Office of Public Defender, discussions were held about JJMU's recommendation that security cameras be placed at the facility. DJS administrative staff with the support of the majority of those in attendance stated that cameras were not necessary at this time.**

ROP administration continues to monitor this situation to determine if cameras would in fact provide an additional safety measure for staff and students.

- **SOA staff has continued to work with the Office of Inspector General to improve incident and critical incident reports.**

Two training sessions (February & March) were held during the first quarter for training in the DJS ASSIST data entry system. Two trained staff left SOA (National Guard call up of group living staff and resignation of head of case management) during the quarter (one returned in April). SOA remains committed to accuracy, timeliness and completeness of all incident reports.

- **It is not the accepted or trained practice to permit staff to restrain students for non-compliant behavior**

Staff that have operated outside this regulation have been disciplined, re-trained or terminated. In some cases, incomplete Incident Reports failed to provide the information that stated clearly the immediate danger the student posed to himself or others.

The Office of the Public Defender has independently reviewed these same issues raised in the JJMU Report during interviews with their clients placed at SOA on February 5<sup>th</sup> and March 25<sup>th</sup>. Their investigative team came away with "their concerns satisfied and pleased" with the program they observed.

- **Students are served a menu of 5020 calories per day with three meals and two snacks.**

On February 1, 2010, Silver Oak Academy was approved by the Maryland State Department of Education to participate in the National School Lunch and

Breakfast program. Silver Oak Academy's menus have been reviewed and approved by the Maryland State Department of Education and by a nutritionist. On February 22, 2010 DJS' nutritionist and Head of Dietary visited the SOA facility. In her report, she stated "... the meal looked good, tasted good, and was balanced nutritionally. The boys seemed to enjoy the meal and seemed to have plenty to eat." Students eat three meals a day, with the opportunity for second-helpings, and have two snacks each day.

The DJS Head of Dietary also made several recommendations, including addressing the pork items on the menu. ROP's response to the issue about pork products was to produce a new 60 meal menu cycle which eliminated pork from all breakfast meats and limited pork offerings to 4 lunches and 4 dinners and provide an adequate hot substitute entrée. This new cycle was approved by Maryland nutritionist Linda Yerardi, MS, RD, LDN, DCDE on April 28, 2010 and was implemented completely on May 1<sup>st</sup>. Many staff and students have stated they like the ethnic foods variety, including Mexican, as provided by the ROP Food Service menu.

- **Strenuous exercise is not used as punishment at SOA.**

Students participate in daily school-sanctioned health and wellness programs, and can choose to play interscholastic sports. Students who miss physical fitness activities due to behavioral problems will complete this element in the Refocus Program but no extra physical activities are required.

As stated in our response to the previous JJMU report, students at SOA are permitted to abstain from physical fitness activities for a number of reasons, including sickness, injury or other limitations. The physical fitness program is part of an overall, research-based approach to addressing a number of mental health and behavioral issues, including anxiety, mild depression and attention deficit disorder.

JJMU's on-going allegation that physical fitness programs are "forced" or "strenuous" on an involuntary basis is incorrect. JJMU monitors have stated that "SOA's physical fitness and sports programs place students at risk..." Our response is that Silver Oak Academy is a high school and its students participate in sports. Our sports programs are aligned with the practices of thousands of high schools in Maryland and across the United States.

- **Students in the Orientation Program do attend school but much of that schooling consists of academic and mental health testing, interviews, diagnostic programs and a basic social-emotional education program to assist students to participate in school many of whom have not been in attendance for months or years.**

Moreover, as many as a third of the population comes to SOA with active Individual Education Programs that have not been serviced in a long time. The IEP process takes time, multiple contacts and collaboration to proceed. Like all challenging programs that bring about change, students need to demonstrate readiness to proceed.

The school activities criticized by the monitor as “youth do not receive instruction” is incomplete and not considering the overall approach of the orientation program. The orientation period helps staff assess where students should be placed for instructional purposes as well as re-establish or establish for the first time good work and study habits.

- **The JJMU monitor was witnessing vocational training programs that were one to three weeks old.**

The Workforce Development Building (the building that houses the vocational programs) received its final U & O (permit occupancy) from Carroll County Building Department in early February. The DJS inspection of the building was conducted on February 23. The initial programs commenced shortly thereafter.

SOA has higher expectations of the vocational services as well. The short length of stay for students (6 to 9 months) has been challenging to develop the type of exploration and entry level training that their placement time permits.

SOA is building partnerships with local training programs like *Living Classrooms* and the DJS *Job Corps Program* to continue our training when our students leave the facility. A successful program completion was placed with the *LC’s Fresh Start Program* on April 10<sup>th</sup>.

## FINDINGS

### 1. Population

JJMU cites the SOA failure rate at 23 of 68 students admitted or 34%.

SOA disputes the distribution of the 23 students discharged:

TYPE	JJMU #	SOA #	DIFF
SITE AWOL	12	6	-6
OFF SITE AWOL	0	3	+3
PSYCHIATRIC TX	2	3	+1
PROGRAM FAILURES	6	6	0
TRANSFER JUDGE	2	2	0
PROGRAM REFUSAL	1	1	0

SUB TOTALS	23	21	-2
PROGRAM COMP	3	3	0
DISCHARGE TOTALS	26	24	-2

It is important to note the following:

- Six (6) awols occurred from the SOA site since the opening on July 6
- Three (3) were off-site (one at a basketball game and two outside a facility being returned to detention)
- Three (3) were attempts that never left the campus and were returned as Program Failures to DJS
- One (1) off-site awol has returned to SOA on 3/19 and is doing well.

In compiling the failure rate, JJMU has included 2 students removed by the judge (one returned to another program and one due to an adjudication). The single Program Refusal never started the program as he refused to be admitted.

These three students should not be included as we had no control over these youth's continued placement at the facility. The three Psychiatric Discharges should be eliminated as well as these students had *emerging* mental health problems not amendable by a cognitive treatment program.

**The new “failure rate” as comprised by the revised statistics and according to the JJMU formula would be 22% (15/68) not 34%.**

We would agree with the JJMU assessment that “SOA is still a new program and it will take some time to develop a consistent profile of youth...”

## 2. Staffing

DJS regulations require one awake-night staff per unit. SOA has complied with those regulations but decided to follow the new best practice measures offered by DJS in February and added a third awake night staff to provide backup, cover for staff breaks and provide perimeter checks during the eight-hour shift.

Other measures continue to be implemented to improve awake-night coverage including call-in protocols to document awake-night staff activities and available back-up day staff, sleeping in staff quarters in the dormitory.

The JJMU report states “There are no cameras, distress alarms or technical equipment that might allow a call for assistance.” This, too, is untrue. Alarms are set on the windows and doors; staff carry radios and cell phones to call other staff (perimeter) and the auto-call system documents awake night staff activity.

### **3. Safety and Security**

#### **a. Aggregate Incidents**

Another misleading conclusion of the JJMU monitor is that SOA is under-reporting incidents at the site based on reviews of other site reports. It is the policy of ROP to report all incidents and critical incidents as they occur in a timely, accurate and complete manner.

#### **b. AWOL**

The JJMU report has presented an accurate account of the awols from SOA with one exception: the February 17<sup>th</sup> attempts never left the campus and are not identified as awols but rather program failures.

The monitor also includes awols recorded on April 2<sup>nd</sup>, which would seem to be outside the timeline of this report. However, both students were apprehended by staff and returned to the site within several hours. Both students are doing well. Contrary to the JJMU report, the DJS report has been filed on the incident. SOA filed an awol notification to DJS on the day of the incident as well as activating the community alert system.

SOA is working to eliminate these awols. All of the four (4) on-site awol incidents were preventable by staff had they followed basic supervisory practices in which they have been trained. One staff (who left his keys out on 12/25) was disciplined; the other two awake-night staff involved in the 2/14 and 4/2 incidents were terminated.

In order to prevent the off-site awols in the future, the following action has been taken:

- Closer review and supervision of students on off-site athletic activities
- Use of secure transport only (law enforcement or DJS) when returning assaultive students to detention

#### **c. Restraints**

It is not the accepted or trained practice to permit SOA staff to restrain students for non compliant behavior. Staff that has operated outside this regulation have been disciplined, re-trained or terminated.

The policy for the Refocus Program is under review to provide more specific and appropriate interventions for student misbehavior. The activities of the Refocus Program will concentrate on the individual student and develop therapeutic response tailored for each situation rather than a basic prescription for all students. This new policy will be submitted to DJS for review by the end of May.

No prone restraints are permitted, contrary to the suggested practice identified by the JJMU monitor. Any use of prone restraints by staff is outside program guidelines as well as DJS regulations and would be dealt with swiftly and severely.

In theory, a prone restraint could occur momentarily during a struggle but staff have been clearly directed to not continue in this position to assure the health, safety and welfare of the students.

#### **4. Physical Plant and Basic Services**

##### **a. Fire Safety**

All fire drills have been conducted monthly in accordance with DJS regulation. The fire drill report for February was completed and located in the Shift Supervisor's paperwork. Drills during sleeping hours will be conducted in the future.

SOA has no report of a fire in Yale Hall. A subsequent internal investigation to this charge has been unsubstantiated as well.

##### **b. Physical Plant**

We agree that the physical plant is in "excellent general condition." SOA staff and students are proud of the facilities they utilize and work diligently at maintaining its cleanliness and safety.

Students have also assisted neighbors and agencies in the local area as well, providing community service during the two severe winter snow storms by cleaning walks, shoveling roofs (see Taneytown Times article) and assisting travelers.

##### **c. Basic Services**

On February 1, 2010, Silver Oak Academy was approved by the Maryland State Department of Education to participate in the National School Lunch and Breakfast program. Silver Oak Academy's menus have been reviewed and approved by the Maryland State Department of Education and by a nutritionist. On February 22, 2010 DJS' Head of Dietary Services visited the SOA facility. In her report, she stated "... the meal looked good, tasted good, and was balanced nutritionally. The boys seemed to enjoy the meal and seemed to have plenty to eat." Students eat three meals a day, with the opportunity for second-helpings, and have two snacks each day.

DJS' Head of Dietary Services also made several recommendations, including addressing the pork items on the menu. ROP's response to the issue about pork products was to produce a new 60 meal menu cycle which eliminated pork from all breakfast meats and limited pork offerings to 4 lunches and 4 dinners and provide an adequate hot substitute entrée. This new cycle was approved by Maryland nutritionist Linda Yerardi, MS, RD, LDN, DCDE on April 28, 2010 and was implemented completely on May 1<sup>st</sup>. Many staff



and students have stated they like the ethnic foods variety, including Mexican, as provided by the ROP Food Service menu.

Students are issued new clothes upon entry. Worn clothing is replaced as appropriate. SOA provides three changes of daily clothing as requested by DJS.

## **5. Education**

### **a. Orientation and b. Special Education**

Students in the Orientation Program do attend school but much of that schooling consists of academic and mental health testing, interviews, diagnostic programs and a basic social-emotional education program to assist students to participate in school, many of whom have not been in attendance for months or years.

Moreover, as many as a third of the population comes to SOA with active Individual Education Programs that have not been serviced in a long time. The IEP process takes time, multiple contacts and collaboration to proceed. Like all challenging and programs that bring about change, students need to demonstrate readiness to proceed. The length of the time for the Orientation Program is usually less than 30 days.

The school activities criticized by the monitor as “youth do not receive instruction” is incomplete and not considering the overall approach of the orientation program. The orientation period helps staff assess where students should be placed for instructional purposes as well as re-establish or establish for the first time good work and study habits.

The JJMU Monitor stated in their 4<sup>th</sup> Quarter 2009 report that they would be monitoring the progress of a specific student enrolled in special education program because they believed that student was not appropriately placed at SOA and would not get the services he required. That student has performed well in school, received the special education assistance his IEP called for and will be a program success.

### **c. Classes & d. GED**

Six (6) students have passed their GED practice tests and are ready to proceed to take the actual exams in May.

### **e. Vocational Education**

In addition to the response found in the Critical Finding presented above, Vocational Training Program at SOA was just initiated in March 2010.

The construction trades are referred to as “primitive.” The students have fabricated a number of site improvements, including a new entrance sign, landscaping enhancements required by Carroll County at the Workforce Building and other repairs. We have placed a program completion into the Fresh Start Program in Baltimore.

The IT class has completed the basic overview of hardware systems and just starting the software services exploration. Equipment for the class has been on back order but students are engaged and learning.

The barbering program is seeking a further cosmetology license before proceeding with the actual hair cutting and styling. The classes held prior to the hands-on sessions are preparing students for the training ahead.

Moreover, SOA has trained students in the following:

- Four (4) students have passed Driver's Education and obtained their learning permits
- HAS (High School) Testing is beginning the week of May 17<sup>th</sup> with a dozen students ready to proceed towards adding these accomplishments to their diploma requirements
- Six (6) students passed the GED Pre Test taken prior to the administration of the actual test
- The culinary class is preparing to assist in the breakfast food service for 200 people at the Taneytown Business Breakfast in June. We are adding new activities and resources each day.

## **6. Rehabilitative and Recreational Programming**

### **a. Therapeutic Program**

The treatment provided at the site consists of skill building groups, including *Thinking for a Change (cognitive behavioral treatment)*, *Aggression Replacement Training (and Pathways to Self-Discovery (Drug & Alcohol curriculum))* and *Parenting with Love & Limits*. All students are currently enrolled in one or more of these treatment groups which have been operating since late last year. Individual and family counseling sessions are also provided as prescribed

Positive Peer Culture and (Guided) Group Meetings are not the basis for treatment (as mis-stated by the JJMU monitor) but serve as the operating system that measures how effective the treatment and skills sessions provided are in changing the student behaviors. Silver Oak Academy utilizes social learning theory in our programming. Our current collaboration with Dr. Latessa, a juvenile-justice expert from the University of Cincinnati, and his research indicates that social learning theory is one of the most effective behavioral models (along with cognitive behavioral approaches).

While the site has one LCSW, SOA has access with *Behavioral Partners* of Frederick, Maryland, that can provide psychiatric assessment, medication management and treatment groups where needed.

### **b. Recreation Programming**

Students in the Orientation phase are permitted to participate in recreational programs but in order to participate in organized interscholastic sports they need to meet eligibility criteria. They also are in need of basic cardio-vascular conditioning. Immediate entry into a competitive environment is not advisable. These students will have ample time to play and enjoy competitive sports.

### **c. Parent Involvement**

Parents visit their young men on a regular basis with transportation assistance from SOA staff and vehicles. These family visits regularly serve sixty (60) or more individuals.

To date, six (6) families have completed the *Parenting with Love & Limits* family and student treatment program prior to discharge. These counseling, coaching and training sessions are held in our new Baltimore Field Office on Madison Avenue.

A new group of ten (10) families have been enrolled for the next group sessions beginning May 14.

## **7. Medical**

Medical record keeping is described as being “not adequate” by the JJMU.

ROP is committed to improve its reporting system. In order to address this concern, the nursing staff met with the DJS Director of Nursing on May 6<sup>th</sup> to review the ROP Medical Incident Report (MIR). Several changes have been made including use of a digital camera to document injuries, inclusion of a student statement in the MIR and changes to report to provide a specific response to abuse assessment and/or CPS report.

## **8. Youth Advocacy, Internal Monitoring and Investigation**

### **a. Youth Advocacy**

ROP has followed the directives of DJS for the location and distribution of grievance forms and procedures to students. The JJMU monitor states, “Youth appear to be reluctant to file grievances.”

The same monitor has specifically solicited students as to why they don’t file grievances and they have replied they don’t have any. Students have daily access to DJS monitors, advocates, attorneys and probation officers to lodge complaints; not all students feel the need to file formal grievances. No students are prevented from filing grievances.

### **b. Internal Monitoring**

DJS has completed monitoring visits and issued reports to SOA on the following dates: February 22, February 23 and March 3. SOA has submitted their response to all of these reports.

Incident reporting, as stated previously, was impacted by the loss of two of three trained ASSIST approved reporters. The one has returned from active duty National Guard call-up on April 13<sup>th</sup>. More training in ASSIST by the OIG unit has been received during the quarter and we look to add the DSS to the ASSIST approved list.

## **The Way Home**

### **Page 2 Staffing**

All staff at The Way Home group home have received the following DJS trainings as of February 2<sup>nd</sup>, 2010:

- Role of Child Care worker
- Child/Adolescent Development
- Special Needs of the Population Served
- Communication Skills
- Psychosocial and Emotional Needs of Population Served
- Parenting Issues and Collaboration with Families
- Suicide Prevention
- Supporting Individuals and Families in Making Choices
- Seizure Management
- Fundamental Rights of Children

(These trainings are offered again in July 2010)

On May 28<sup>th</sup>, 2010 training is scheduled on Individual Directed, Outcome Oriented Planning for Individuals.

All staff at the group home have also received:

- First Aid
- Blood borne Pathogens
- Child Abuse and Neglect Identification
- Emergency preparedness and general safety practices
- Communicable Diseases training

CPR training and recertification will be offered in May 2010 for those that need to be recertified. All staff will be attending CPI training on April 23, 2010 and April 28, 2010.

The program Director for The Way Home has developed a training form for each staff that lists the employee's name, date of hire, and the trainings that they attended

(including training dates and presenters names and credentials). These forms are now available in each employee's personnel file, as well as in a training book, located in the group home. The Director reviews trainings every two weeks in supervision with staff and develops individual training plans with each employee.