

**JUVENILE JUSTICE MONITORING UNIT
OFFICE OF THE ATTORNEY GENERAL
STATE OF MARYLAND**

2023 FIRST QUARTER REPORT

The Maryland Juvenile Justice Monitoring Unit(JJMU)

The Juvenile Justice Monitoring Unit (JJMU) at the Office of the Maryland Attorney General 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 considerable time gathering information and observing all aspects of operations. We sit in on activities and classes, interview youth, staff and administrators, and review incident-related 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 of 2022) are included within our published 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 monitoring unit increase the transparency and accountability of the juvenile justice 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 2023 First Quarter Report Compendium

The Maryland Juvenile Justice Monitoring Unit (JJMU) issues public reports covering each calendar quarter that include data and analysis concerning treatment of and services provided to youth in Maryland Department of Juvenile Services (DJS) directly run and licensed facilities throughout Maryland. Enclosed please find the unit's compilation of first quarter 2023 reports.

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

The JJMU 2023 First Quarter Report compendium was produced by Margi Joshi, Nick Moroney, Tim Snyder, and Marvin Stone. Thanks to Taran Henley, Fritz Schantz, and Maria Welker.

We respectfully submit this report to the Governor, members of the Maryland General Assembly, the Secretary of the Department of Juvenile Services, and to 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 at:

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



JUVENILE JUSTICE MONITORING UNIT
OFFICE OF THE ATTORNEY GENERAL
STATE OF MARYLAND

June 2023

The Honorable Wes Moore, 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

Members of the General Assembly

The Honorable Vincent Schiraldi, Secretary
Department of Juvenile Services

Members of the State Advisory Board for Juvenile Services

Dear Governor Moore, Senate President Ferguson, Speaker of the House Jones, Secretary Schiraldi, and State Advisory Board Members:

Following on from a comprehensive annual report covering calendar year 2022, this JJMU report offers brief updates. The document covers the first quarter of 2023 and summaries progress and challenges in the Maryland juvenile justice system in addition to offering compact individual sections on each detention and placement facility directly operated by the Department of Juvenile Services (DJS/the Department).

The present report covers a transitional period when new DJS management began their tenure by touring all detention and placement facilities to meet with youth and with the staff working with youth. This fresh approach is being undertaken so that headquarters staff can better understand the situation "on the ground" and prioritize accordingly. One overarching finding is that more young people are being driven into secure detention and committed placement centers - the deep end of the state's juvenile justice system. The Department is making efforts to examine

and address incarcerated youth population increases in DJS-operated detention and placement centers.

After an in-depth examination of the carceral component of DJS operations, department leadership has recognized that there is a need to change the entire orientation of both detention and committed placement facilities from a corrections approach that focuses almost entirely on secure warehousing of children and young people and into an individualized and needs-centered approach to services that is based on the principles of positive youth development.

During the first quarter of 2023, activities for youth increased in DJS placement facilities for boys. New opportunities included off-grounds excursions, and plans were in motion at time of writing to further expand constructive pastimes and education-related opportunities for the young people in both DJS detention and DJS placement facilities. Additionally, in response to longstanding and substantially unaddressed facility staffing problems, the recently installed DJS administration completed a comprehensive facility staffing audit and the results indicate the problem is less one of a shortage of personnel pins and more one where there are not enough staff reporting for work onsite at facilities to cover routine activities on any given day. Based on the findings, the Department is moving to address the issue.

The numbers of detained and committed girls in the Maryland juvenile justice system have dramatically decreased in the last five years. This is a positive trend that has prevented many girls from being exposed to the harms of incarceration. Nevertheless, the needs of girls stuck in the deep end of the juvenile justice system (secure detention and secure committed placement) continue to be neglected, and the state of Maryland continues to lack a robust array of individualized and gender and culturally responsive and trauma-informed treatment options that are community-based and specifically designed for the unique needs of girls in contact with the juvenile justice system. The state of Maryland (and the Department) should devote greater attention, care, and resources to justice-involved girls.

There is also an urgent need for state government to comprehensively and permanently address the disparity between the (lower) salary levels of Department of Juvenile Services workers compared with those people who work for the Department of Public Safety and Correctional Services. Providing DJS workers with comparable salaries to similarly situated colleagues in the corrections system will end an unjustifiable disparity and encourage the recruitment and retention of qualified personnel.

Respectfully submitted,

Nick Moroney

Nick Moroney
Director, Maryland Juvenile Justice Monitoring Unit

Cc: Attorney General Anthony Brown
State of Maryland Treasurer's Office
The Office of the Comptroller of Maryland

JUVENILE JUSTICE MONITORING UNIT 2023 FIRST QUARTER REPORT

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DJS Hardware Secure Detention

DJS Committed Placement

Short-term, pre-disposition/pending placement:

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

Long-term, post-disposition:

- Victor Cullen Center (Cullen)
- Backbone Mountain and Green Ridge youth centers (two youth centers)

Incident and Population Trends

First quarter 2023 population and incident trends versus first quarter of 2022:

- ❖ The population of youth incarcerated in DJS facilities rose substantially. The average daily population (ADP) of youth rose in all but one DJS-operated secure detention center (LESCC, where the population average remained the same). BCJJC, CYDC, Hickey, and WMCC were all subject to an increase in average daily population during the first quarter of this year (when compared with the same period last year). The youth population also increased in the DJS-operated committed placement centers for boys (the two Youth Centers and the Victor Cullen Center).
- ❖ Youth on youth fights and assaults in secure detention centers decreased at BCJJC, LESCC and WMCC, but increased at CYDC and Hickey. Fights and assaults also increased in the committed placement sites (the two Youth Centers and Victor Cullen).
- ❖ Physical restraints of youth by staff decreased in secure detention centers at BCJJC, CYDC, LESCC and WMCC, but increased at the Hickey facility. Staff use of physical restraints on youth also increased in the committed placement sites (the two Youth Centers and Victor Cullen).
- ❖ The use of mechanical restraint (handcuffs and or leg irons) inside secure detention facilities decreased at BCJJC, Hickey and LESCC, but increased at CYDC and WMCC. Mechanical restraint usage also increased in committed placement at the Youth Centers (there was no increase at Cullen).
- ❖ Incidents involving seclusion inside secure detention centers decreased at BCJJC and at CYDC but increased at Hickey and WMCC. Seclusions also increased in committed placement (at both Victor Cullen and the Youth Centers).
- ❖ There were 15 incidents involving suicide ideation (down from 37 during the same period last year), no suicide attempts (versus one attempt during the first quarter of 2022), and 5 incidents involving self-injurious behavior at DJS-operated facilities during the first quarter of 2023 (compared to 8 in the first quarter of 2022).

The Department of Juvenile Services and Maryland Juvenile Justice Reform: Advances and Challenges

The Department of Juvenile Services and Maryland Juvenile Justice Reform: Advances and Challenges

An incoming secretary and several new senior administrators began work with the Maryland Department of Juvenile Services (DJS/the Department) during the first quarter of 2023.

This report covers a transitional period when new DJS management began their tenure by touring all detention and placement facilities to meet with youth and with the staff working with youth. This fresh approach is being undertaken so that headquarters staff can better understand the situation “on the ground” and prioritize accordingly. The project is one component of a multi-pronged and long-term endeavor initiated during the first quarter reporting period with a view toward reorientating the Department’s approach to youth and staff.

At time of writing (April and May of 2023), Department leadership, staff and stakeholders are working on a strategic plan that will set out steps designed to ensure that the young people served by the Department are offered appropriate supports and resources to enable them to succeed while connected to DJS and within their communities and away from the juvenile and criminal justice systems.

On the facility operations front, new managers have been appointed in three key positions, the deputy secretary for operations and the superintendencies at the two most historically troubled DJS-operated secure detention centers: the detention component at the Baltimore City Juvenile Justice Center and the Cheltenham Youth Detention Center in Prince George’s County.

Within all DJS-operated detention and committed placement facilities, education services are now overseen by a statutorily enabled independent school board and superintendent, with the DJS executive administration serving a support role in facilitating access to resources. This independent entity is called the Juvenile Services Education Program (JSEP) and, during the reporting period, the schools’ superintendent completed recruitment of a JSEP leadership team.

The current leadership at both DJS and JSEP inherited a plethora of significant challenges, including frontline staffing shortage issues which plague both systems.

Additionally, new DJS leadership has recognized that there is a need to change the entire orientation of both detention and committed placement facilities where children and young people are incarcerated from a corrections approach that focuses almost entirely on secure warehousing of youth to an individualized and needs-centered approach to services that are built on the principles of positive youth development.

The recently installed DJS and JSEP administrations have made notable progress in a short amount of time in improving agency culture and responsiveness to youth and family needs through the following initiatives and advances:

- ✓ Department leadership is arranging for operations and facility leadership staff to take part in the “Youth in Custody” certification program offered by the Center for Juvenile Justice Reform at Georgetown University to become familiar with national best practices and learn strategies developed to improve outcomes for the young people in the deep end of the juvenile justice system.¹
- ✓ The Department has invited a team of national experts on best practices to tour and assess all DJS-operated detention facilities and to provide recommendations and a work plan. The federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) will oversee the team.
- ✓ Managers at DJS will be visiting and learning from states and jurisdictions with model approaches to young people in contact with the juvenile justice system, including Missouri and the close-to-home (community-based) placement entities and shelters for youth in New York.
- ✓ The Department is working with a national expert on schooling for youth involved with the justice system to enhance and bolster academic options for youth.
- ✓ DJS and JSEP are planning for after-school options for the first time in DJS facilities and the Department is also preparing to offer job and skill-related activities at facilities outside of daily school time and including on weekends.
- ✓ JSEP and DJS are working on expanding education and job training offerings for youth who have a high school diploma and JSEP has been involved in organizing graduation ceremonies for incarcerated students who achieve enough credits to qualify for a high school diploma.
- ✓ JSEP library services for youth have improved considerably and systems were put in place by JSEP during the reporting period to ensure incarcerated young people have timely access to requested recreational reading materials.

¹ See Youth in Custody Certificate Program, Center for Juvenile Justice Reform, available at: https://cjjr.georgetown.edu/certificate-programs/youth-in-custody/?utm_campaign=external-2023&utm_medium=email&utm_source=govdelivery

- ✓ Internet connectivity issues have been comprehensively addressed by the Department and work on ensuring universal access across DJS detention and committed placement facilities is almost complete. This advance means that, at times when in-person instruction is not available, the youth affected will have access to virtual classes. While this is not ideal, it is an improvement over the “packets-based” classes that youth have had to make do with up to now when in-person and virtual learning were not available.
- ✓ The Department is moving to enable youth to take practice driving tests and portions of the actual driving test for those young people who are eligible. The Department is examining how to make CDL (commercial driver’s license) testing available for interested youth (and many youth are interested).
- ✓ Staffing patterns and options are being examined and explored within DJS with a view toward improving quality of job-life issues for DJS facility staff. During the first quarter of 2023, open staffing positions were being addressed and filled by the Department and DJS facilities are on the way to being fully staffed at the direct care level.

Significant challenges remain to ensuring an equitable and effective juvenile justice system in Maryland. Pressing concerns include the following:

- Adequate staffing levels are a necessary component to achieving the Department’s vision of providing high quality and effective programming and services for incarcerated youth. However, the high number of staff out because of medical and other issues remains extremely problematic. While staff personnel pins are close to being fully filled by the Department across DJS detention and committed placement facilities, there continues to be frequent instances when there are not enough staff on-site at these same facilities to appropriately conduct everyday supervisory tasks.

The staffing situation is especially dire at the Victor Cullen committed placement facility near Sabillasville in western Maryland. On-site direct care staffing is so short that at times, school classes have been held on living units (or cancelled) due to staff availability issues. It was also not possible to escort the young people incarcerated there to the facility cafeteria some days during the first quarter of 2023 and so they ate their meals on their living units instead. This is happening even as all top administrators onsite are frequently drafted into use as direct-care staff.

Staffers who can and routinely do report for work at the Victor Cullen center and at other staff challenged facilities (including Cheltenham Youth Detention Center and the Baltimore City Juvenile Justice Center detention component) are frequently

asked or required to stay on for extra shift work several times per week so that minimal staff-to-youth ratio levels can be met.

During the reporting period and in response to the longstanding unaddressed staffing problems, the new DJS administration ordered a comprehensive facility staffing analysis, and the results indicate the problem is less one of empty personnel pins and more one where there are not enough staff reporting for work onsite at facilities to cover all routine activities on any given day. Based on the findings, the Department is moving to address the issue.

- There is also a need for state government in Maryland to comprehensively and permanently address the disparity between the (lower) salary levels of Department of Juvenile Services workers compared with those who work for the Department of Public Safety and Correctional Services. Providing DJS workers with comparable salaries to similarly situated colleagues in the corrections system could further help recruit and retain direct-care and other staff within DJS facilities.
- Youth stuck in secure detention while waiting to go to placement experience “dead time” where treatment resources are not accessible. During the reporting period, the Department began planning to change this situation into one where those young people who are pending placement can begin to work on programmatic elements of their treatment plans and then continue with treatment after placement. The planning is in final stages at time of writing (May of 2023).
- The numbers of detained and committed girls in the Maryland juvenile justice system have dramatically decreased in the last five years.² This is a positive trend that has prevented many girls from being exposed to the harms of incarceration. Nevertheless, the needs of girls stuck in the deep end of the juvenile justice system continue to be neglected, and the state of Maryland continues to lack a robust array of individualized and gender and culturally responsive and trauma-informed treatment options that are community-based and specifically designed for the unique needs of girls. The Department should devote greater attention, care, and resources to justice-involved girls.³

² Maryland Department of Juvenile Services, Services for DJS-involved girls, page 5, available at: <https://djs.maryland.gov/Documents/publications/DJS-Services-DJS-Involved-Girls-Jan-2019.pdf>

³ Please see the section which begins on page 9 of this report for an in-depth discussion of the experience of girls in the deep end of the Maryland juvenile justice system.

COVID-19 Response in Juvenile Services' Facilities

COVID-19 Response in Juvenile Services' Facilities

With a federal declaration signifying the end of the nationwide COVID-19-related public health emergency in May of 2023, the Maryland Department of Juvenile Services (DJS/the Department) is moving toward resuming more normalized operations inside detention and placement facilities and easing restrictions implemented during the pandemic.

- Youth are no longer mandated to wear masks during waking hours inside DJS facilities. At time of writing (May of 2023), only those staff who are working on a quarantined living unit are required to wear masks.
- Mandatory COVID-19 testing for staff has ended. Youth are still tested regularly for COVID-19.
- Youth moving from one DJS facility to another are no longer required to quarantine upon arrival at the second facility.
- In-person family engagement events, in-person volunteer-led initiatives, and facility unit-versus-unit sporting/recreational opportunities have slowly been increasing for incarcerated young people. Off-ground activities for boys in DJS placement facilities have slightly increased. The Department should continue to expand opportunities for young people in custody to positively engage with the surrounding local communities.
- Department medical administrators continue to keep a watchful eye on conditions on the ground and are prepared to re-implement stricter safety measures for youth and staff in the event of suspected or actual future outbreaks of contagious sicknesses.

THE TREATMENT OF GIRLS IN DJS- OPERATED DETENTION AND PLACEMENT CENTERS

The Treatment of Girls in DJS-Operated Detention and Placement Centers

Justice-involved girls in the state of Maryland are a highly vulnerable population and their backgrounds and life experiences differ from justice-involved boys in significant ways. Girls are more likely to be victims of physical and sexual abuse and have higher levels of family and mental health-related needs than boys in the Maryland juvenile justice system.⁴ Girls also have different medical and reproductive health needs than boys. Unfortunately, effective gender- and trauma-responsive and developmentally appropriate practices and services specifically tailored to the needs of girls in the deep end of the system (detention and committed placement) have not been prioritized. Decisions made during 2022 to warehouse girls on single units in a secure detention facility for boys and in a committed placement facility also for boys, has detrimentally impacted the girls' developmental, physical, and mental health. The Department of Juvenile Services (DJS) should devote greater attention, care, and resources to system-involved girls.

The Recent History of Securely Detained Girls in Maryland

The Thomas J.S. Waxter Children's Center (Waxter) in Laurel, 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); had a DJS-rated housing capacity of 32 girls; and was the only all-girls secure juvenile detention center in the state.

Physical plant conditions at Waxter were atrocious. The building was dilapidated and outdated, education services were provided inside cramped rooms in shoddily constructed trailers located in the back of the facility, and problems with temperature regulation as well as rodent and vermin infestations were prevalent in both the school and the living units.

After years of advocacy to improve living conditions for detained girls, DJS responded and permanently closed Waxter in March of 2022. The Department refurbished the similarly sized Alfred D. Noyes (Noyes) secure detention center in Rockville, Montgomery County, to serve as an all-girls detention facility. Noyes. Like Waxter, was also an older facility and lacked an onsite kitchen where fresh meals could be prepared for the girls. However, the physical plant at Noyes was in slightly better condition in some respects than the wholly decrepit Waxter center. When Waxter was shuttered, girls in situ were transferred to Noyes (also in March of 2022).

In April of 2022, an air conditioner handler unit caught fire at the Noyes facility and the girls were relocated to a unit at modern but large and jail-like DJS detention center for boys in Prince George's County (Cheltenham Youth Detention Center [Cheltenham/CYDC]), until repairs could be made to the Noyes AC unit. The girls were transported back to the Noyes facility in Rockville in June of 2022.

⁴ See Maryland Department of Juvenile Services, Services for DJS-involved girls, page 5, available at: <https://djs.maryland.gov/Documents/publications/DJS-Services-DJS-Involved-Girls-Jan-2019.pdf>

In mid-October of 2022, the Noyes facility for girls was closed again and detained girls awaiting adjudication and multiple staff from Noyes were again transferred to the detention center for boys in Cheltenham as part of a belated measure to bolster critically low staffing levels in CYDC.⁵ At time of writing (May of 2023), securely detained girls remain all together on one residential unit consisting of 12 cells at the boys' facility in Cheltenham.

When population capacity is reached on that unit or when girls cannot be housed together (for example, in cases when co-defendants are detained at the same time), newly detained girls are sent to a smaller-sized DJS secure detention center in Salisbury on Maryland's eastern shore (the Lower Eastern Shore Children's Center/LESCC). Recently (in early April of 2023), both Cheltenham and LESCC reached the limit of their capacity to house girls/young women, and it was determined that any further influx of newly detained girls would have to be securely transported (i.e., shackled and moved by van) to another small DJS secure detention center (for boys) in Hagerstown, western Maryland (Western Maryland Children's Center/WMCC).

During the reporting period, a girl was taken to WMCC and housed in the intake unit at that facility to access medical services. This situation occurred because the girls held at the Cheltenham facility do not have access to the infirmary there as it is used to house medically vulnerable boys and the girls' housing unit is located far away from the nurse's station. The transported girl was suffering from withdrawal symptoms which necessitated ongoing medical surveillance and so a decision was made to transport and house her in the intake area at WMCC, which is located near a nurse's station.

Conditions for Girls Detained at Cheltenham

As explained above, most of the securely detained girls and young women involved with the juvenile justice system in Maryland are now all held together in a 12-cell residential unit at the Cheltenham facility (which was intended to house boys). Youth safety issues at Cheltenham during the first quarter of 2023 (see Cheltenham report, page 23) were heightened on the sole living unit set aside for the vulnerable girls and young women at that facility, many of whom have significant trauma and mental health needs.

Conflicts between girls were frequent during the first quarter of 2023, and a lack of space resulted in girls being separated into groups within the single living unit. The separated girls took turns going to school (one group in the morning and one group in the afternoon) and alternated between having access to the large dayroom and being locked in a small room with a television on their living unit. This ad hoc social separation on the living unit did not comprehensively

⁵ For background and an in-depth discussion of the repercussions of the effects of this decision on securely detained girls, please see the JJMU 2022 Annual Report, available at: https://www.marylandattorneygeneral.gov/JJM%20Documents/22_Quarter4.pdf. Even with the influx of staff from Noyes, Cheltenham still suffered staff shortages throughout the first quarter of 2023. For example, Grievance 18064 concerns a girl upset about being locked in her cell until lunch because there was not enough staff present to supervise youth and stay within mandated staff to youth ratio levels if girls were allowed out of their cells.

address the root causes of ongoing frustration and conflict and tensions remained high, as demonstrated by the following examples:

In Incident 173324, several girls were locked in the living unit TV room. The girls had been separated by staff from other girls in the same living unit in response to conflict. Those girls not locked in the TV room were in the unit dayroom. One of the youth locked in the TV room started to bang on the door and demanding to be let out. When staff opened the door, she stormed away from them and appeared to be very agitated. The girl was speedily physically restrained by staff and locked in her cell. A girl who witnessed the incident made a generalized comment on facility living conditions at Cheltenham when she reported on her witness statement: "shit is crazy everyday here bro', I just can't wait to go home".

In Incident 173311, a youth tried to assault another youth, who is pregnant, and the aggressor was restrained by staff. The pregnant girl noted in a witness statement taken following the incident that, "me and my child feel threatened." Staff present at the time did a good job preventing the altercation from escalating. In a separate incident (173469), another youth walked up behind the pregnant girl as she was standing in the doorway of an office and slapped her in the face causing the pregnant girl's head to rebound and to hit a metal door frame – the girl suffered bleeding from her mouth.

Grievance 18055 involved a youth who was upset because she and another youth had to take turns being let out of their cells. This procedure resulted from a staff decision in reaction to conflict between the two girls. The girl who wrote the grievance stated that she was forced to lock into her cell every 30 minutes and reported that if she refuses to comply, she is physically restrained and put back in cell by staff. The complainant asserted that the other youth involved in the dispute was being allowed to stay outside her cell for longer periods and without any consequences imposed by staff.

Another girl commented to a monitor that she was feeling anxious due to all the conflict on the unit. "It's so crazy here. It's so hard to concentrate in school because it is so loud, and loud noises are my trigger." She told the monitor that the girls should be able to have their own facility so they could have appropriate space and reasonable separation from each other.

The ongoing placement of girls inside a boys' detention center also presents risks to psychological safety for the girls. In Incident 173198, two girls reported that a male youth was making unwanted and vulgar sexual comments towards them while they were all in school. During an investigative interview carried out by the Department's internal investigation unit (the DJS Office of Inspector General [DJS OIG]), one of the girls alleged that:

"Every time he walks past our classroom, he blows kisses and points at me and the other girls in the classroom. He told the teacher how he would do it to us. He

told the teacher that we (female youths) would be in our rooms playing with ourselves with the tampons”. She went on to state that, “one time when they were restraining a girl in our class, they had all of us go out into the hallway. While we were in the hallway, he was sitting in another classroom, and he could see us. He spread his legs apart and pointed down to his private parts. Then he said you can come here and suck my dick. He says stuff like that all the time, to me and the other girls too.”

The other victim stated that the male youth “told us stuff like suck my dick, while moving his hand up and down over [his] groin area”.

The two girls’ accounts were corroborated by a teacher and by other girls on the female unit.

Girls in the juvenile justice system have different medical, reproductive health, mental health, and trauma-related needs than boys. If the state continues to incarcerate girls⁶, they deserve adequate space, services and a setting that is tailored to meet their circumstances.

Relegating detained girls and young women to a single unit at a detention facility set up to serve boys and young men (itself a result of the Department’s longtime failure to proactively address problems with retaining and recruiting staff at Cheltenham and elsewhere to the point that staffing levels reached crisis levels) indicates a disregard for the well-being of girls in DJS custody. As one Noyes staffer commented, “they just treat these girls like chattel, moving them constantly from one place to another without thinking of how it will impact them.”

Instead of ad hoc moving of detained girls and young women to inappropriate settings, the Department needs to prioritize the care of the girls and young women in its care and custody.

The Recent History of DJS-operated Secure Committed Placement Sites for Girls

Until 2020, girls committed to secure out-of-home placement by the Maryland courts were sent to the J. DeWeese Carter Center (Carter), a maximum security (locked and fenced) committed placement center for girls operated by DJS and with a (pre-COVID) rated capacity of 14 young people. Carter was in Chestertown on the eastern shore of Maryland. Girls at Carter had individual cells and shared a common day room. School services were provided in a small trailer located in the back of the facility, and outdoor space was limited. The facility lacked a

⁶ Some states and jurisdictions have committed to ending the incarceration of girls by devoting resources to community-based interventions, supports, and programs that can better serve the needs of young people. See Dholakia, Nazish and Rosenthal, Lindsay (October 4, 2022), “Hawai’i is so Close to Ending the Incarceration of Young Girls, Vera Institute of Justice, available at: [Hawai’i Is So Close to Ending the Incarceration of Young Girls | Vera Institute](https://www.vera.org/ending-mass-incarceration/reducing-incarceration/reducing-jail-and-prison-population/ending-girls-incarceration-initiative#:~:text=Vera's%20Initiative%20to%20End%20Girls,juvenile%20legal%20system%20by%202030). See also the Vera’s Initiative to End Girls’ Incarceration, available at: <https://www.vera.org/ending-mass-incarceration/reducing-incarceration/reducing-jail-and-prison-population/ending-girls-incarceration-initiative#:~:text=Vera's%20Initiative%20to%20End%20Girls,juvenile%20legal%20system%20by%202030>.

kitchen and meals were brought in by an outside vendor. Girls locked up at Carter consistently reported cramped living conditions and excessive boredom which, in turn, led to anxiety, tension, and conflicts among youth. The girls held at Carter only occasionally were transported from the locked institution for volunteer opportunities or enrichment activities in the surrounding community. Programming, such as music classes provided by outside vendors, was only offered sporadically. Family engagement was difficult to maintain as Carter was located far from the communities most of the youth hailed from and many of the girls' family members had neither the time nor the necessary transportation resources to make the long drive over the Bay Bridge for an in-person visit. The result was that, apart from some individualized therapy provided by locally contracted therapists, Carter functioned as a high security prison or holding facility rather than a treatment center.

In June of 2020, the Department closed the Carter center and speedily established Mountain View, another remotely located placement site – this time in far western Maryland. The girls and young women scheduled for treatment were moved to this hastily assembled program located on the grounds of a committed placement facility for boys which was also operated by the Department. The girls and young women who were being held at Carter at the time of the facility closure were moved to Mountain View to complete their time in committed placement.

The physical plant at Mountain View consisted of one re-purposed building on the grounds of the staff-secure (not locked and fenced) Backbone Mountain Youth Center, a facility for boys located in rural western Maryland. Despite the move to an ostensibly less restrictive setting, the girls held at Mountain View consistently described the dynamic there as overly punitive and extremely confining. The facility employed a dormitory style setting with beds located in a row and close to each other. The open floor plan of the girls' living unit contributed to a lack of personal space and privacy. School services for girls were provided in the same building.

Leadership and staff assigned to Mountain View did not receive any specialized training in working with justice-involved girls and the program did not provide intensive gender-responsive and evidence-based individualized therapeutic services. The superintendent of the Mountain View program had no prior experience working with girls. The program at Mountain View was plagued by cultural competency issues on the part of staff, and by fractious relationships between and among some administrators and managers and the girls. The daily schedule was infused with a compliance-oriented approach by staff toward the girls which stymied the possible establishment of a treatment-oriented milieu. Additionally, as with Carter, family and community engagement opportunities were severely limited due to the very remote location of the facility.

The Mountain View experiment was discontinued in early 2022.

Girls Committed by the Courts to Secure Placement Are Sent to the Victor Cullen Center

In mid-October of 2022, the Alfred D. Noyes (Noyes) detention facility for girls closed and detained girls awaiting adjudication and multiple staff from Noyes were transferred to a unit at the Cheltenham Youth Detention Center for boys.

However, girls at Noyes who had been adjudicated and were waiting to go to a court-ordered secure placement were taken from the Noyes facility in Rockville, Montgomery County, and transported to a single living unit at the Victor Cullen Center, in a rural part of Frederick County in western Maryland.

This occurred because, after the demise of Mountain View, the prior DJS administration attempted to start-up and run yet another remotely located placement site for girls, despite the major and intractable shortcomings that resulted in the termination of the previous program. This time, girls who were committed to secure placement by the courts were to be transported to and held in a single unit at the Victor Cullen Center (Cullen), a remotely located and maximum-security boys' facility operated by DJS. The nearest town to Cullen is Sabillasville (population less than 400 people).

The Department scrambled to stand up the new program for committed girls at Cullen in western Maryland within a matter of days. Staff at Cullen were used to working at the all-boys facility and received just two 6-hour training sessions on working with girls in need of supports and/or treatment. The training sessions were led by detention center personnel although the girls were ostensibly being transported to a treatment program at Cullen. An assistant superintendent at Cullen was given the responsibility of running the girls' program in addition to her responsibilities assisting with the boys' program.

Critical Staffing Shortages at the Cullen Committed Placement Facility

The Cullen maximum security committed placement facility (in common with the maximum-security Cheltenham detention facility) suffers from staffing availability issues and staff who do report to work do not have the necessary resources, professional expertise, or access to the specific amenities needed to operationalize a functional program for girls and young women.

The Cullen facility was already facing a staffing crisis before the arrival of the girls (when it was an all-boys facility) and staffing issues have been further exacerbated with the addition of a separate program for girls at the facility. A single staffer is usually posted in the area used to house the girls at Cullen, even though some girls have pervasive mental health and behavioral health issues that require more individualized attention and the presence of more than one staffer to help on the unit. The staff posted on the unit often face issues of burnout. Many times, during monitoring visits, staff report that they have been working double shifts several times a

week because of a lack of available staff. Administrators at Cullen are also regularly required to serve in coverage as direct-care workers because of ongoing staff call-outs and no-shows.

Inadequate staffing at Cullen impedes the ability to provide individualized treatment. For example, a girl was given permission to take walking breaks to aid in emotional regulation as part of her individualized guided care plan, but a lack of available staff to escort her meant the girl's coping mechanism could not be consistently accommodated.

The lack of adequate numbers of staff reporting for work at the facility also interfered with a monitor's access to incarcerated youth. For example, during a monitoring visit in the first quarter, a supervisor told a monitor that there was not enough staff onsite to enable the monitor to meet confidentially with a girl who wanted to discuss issues the girl was having with treatment and services at Cullen.

Regarding staffing shortages and the conditions of confinement at Cullen in general, one mental health therapist at the facility noted to an investigator from the Department's Internal Investigation Unit (DJS Office of the Inspector General [DJS OIG]) that the facility is "just so short-handed" and that "you can't call it [placement at Cullen] treatment because there is not treatment going on" [DJS OIG Investigation into Incidents 173772 and 173795]. The therapist also told the investigator, "They are just replicating the streets here, it's like survival every day" and the facility is like "a circus", as there are never enough staff onsite the staff who do turn up do not work together cohesively.

Staffing problems at Cullen extend to the provision of mental health services as well. Inconsistency of mental health providers has been a longstanding and ongoing issue at the facility. This situation was exasperated during the reporting period. The Department had contracted with a private provider to provide therapy to several girls placed at Cullen. The contract came up for renewal during the first quarter but was not renewed, and girls had to switch therapists as some neared completion of the program. One of the girls said that she didn't want to change therapists as she made strides and had no wish to start over and become as vulnerable as she had been during therapy sessions with her regular therapist. The girl explained that the emotional toll of going over all her trauma again with a stranger would cause her more pain and added that the new therapist would "probably just leave anyway." The girls' regularly contracted therapist - whose contract was not being renewed - let DJS know that she was willing to stay on and continue to provide services until her current clients' program completion dates, but the Department did not take her up on her offer.

At time of writing (May of 2023), there are only two full-time mental health therapists assigned to Cullen to serve both the boys and girls. Mental health services administrators from DJS headquarters and therapists from other facilities float in and out of the facility to make up for gaps in coverage.

Lack of Community-Based Services for Girls

There is a shortage and a lack of variety and specialization in the spectrum of community-based residential and non-residential programming options for girls in Maryland, even though such options are often able to provide more normalized and effective treatment for adjudicated youth.⁷ The consequence of this shortage is that girls are often dumped in the deep-end of the state juvenile justice system and end up being sent to a remotely located institutional (rather than a community-based and home-like) environment such as Cullen (see the picture of the girls' living unit at the end of this section) where their mental health and trauma-related conditions often worsen.

During the reporting period, a 13-year-old girl was sent to Victor Cullen from shelter care because there were no in-state treatment centers or group homes that would accept the girl. During a monitoring visit, the girl reported frequent feelings of depression and sadness at Cullen and was observed on one occasion crying and shaking in school as she was being bullied by another youth. As studies on locking up young people have shown, “often, incarceration is itself a traumatic experience for young people, and it can exacerbate the difficulties experienced by youth who have been exposed to violence and other adverse childhood experiences.”⁸ In addition, “those confined during adolescence also frequently suffer with long-term mental health problems”, and “young people who were incarcerated [even] for less than one month had higher rates of depression in adulthood than comparable peers who were not incarcerated.”⁹

Institutional and corrections-oriented environments such as Cullen are counterproductive to healthy adolescent development as they prevent young people from experiencing normalizing experiences which promote positive youth outcomes. A 19-year-old young woman was sent to Cullen because there were no other programs in the state that would accept her. She completed her high school credits and desperately wanted to attend college in person or get a job while “doing her time”. If she had been afforded such opportunities, she would have been able to gain valuable life skills and been constructively exposed to pro-social environments and peers. She faced delays in being able to take the Accuplacer test which would have allowed her to enroll in credit bearing online community college courses and, in the end, she spent most of the Cullen school day sitting in high school level classes with her peers – classes she did not need to take. She reported that boredom and monotony at the Cullen facility combined with a lack of opportunities for further growth was causing her mental health to deteriorate. The young woman reported that she received much more individualized and supportive care and services while in

⁷ “Community-based approaches consistently produce better outcomes than confinement.” See Justice Policy Institute (2020) Sticker Shock: The Cost of Youth Incarceration. Justice Policy Institute, Washington DC, page 9, available at: <https://justicepolicy.org/research/policy-brief-2020-sticker-shock-the-cost-of-youth-incarceration/>

⁸ Mendel, Richard (December 2022), “Why Incarceration Fails: An Updated Review of the Evidence: Executive Summary”, The Sentencing Project, available at: <https://www.sentencingproject.org/reports/why-youth-incarceration-fails-an-updated-review-of-the-evidence/>

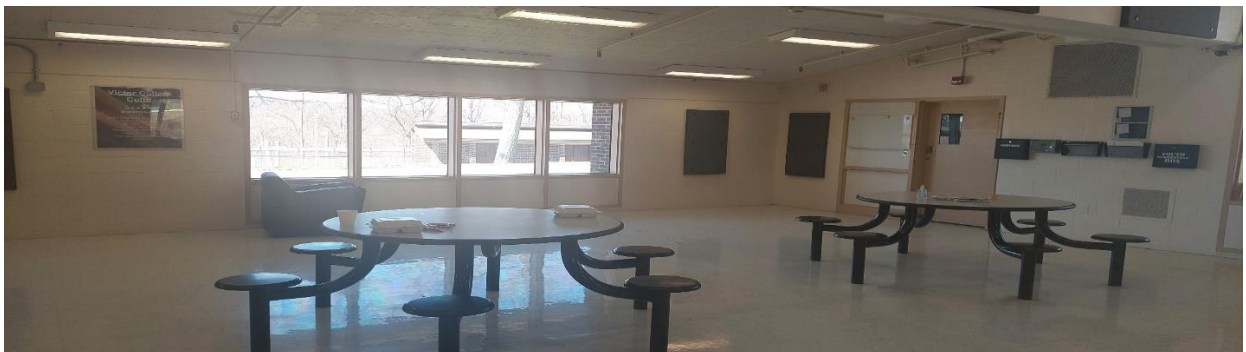
⁹ Ibid.

a DJS-operated secure detention center than she ever did at Cullen, which is supposed to be a treatment center. In her words, “there is nothing treatment-oriented about this program”. The young woman’s experience echoes what is indicated by research on the harms of incarceration:

An analysis from the National Longitudinal Survey of Youth found significant and consistent differences in college attendance, with youth who were not incarcerated more likely to enroll in and complete college than comparable youth who were incarcerated. Another study using data from the same survey found that incarceration in juvenile facilities significantly reduced employment rates and wages and participation in the labor force. A study examining an earlier round of the National Longitudinal Youth Survey found that incarceration in a youth corrections facility led to lower wages, fewer weeks worked, and less job experience by age 39, as well as reduced total educational attainment.¹⁰

The state of Maryland should stop warehousing girls at Cullen and end the practice of sending girls in need of effective and individualized treatment and services to remotely located, corrections-oriented institutions and should instead follow the recommendations of juvenile justice policy experts by:

Reduc[ing] spending on confinement, and shift[ing] funding to evidence-based and promising community-based options for youth, as well as expanding overall community investments. Policymakers should shift public dollars away from the most restrictive, most expensive options to community-based alternatives for treatment and supervision that keep young people at home or close to home. By reallocating resources to support education, expand employment opportunities, improve public health services, and develop sustainable housing, decisionmakers can stabilize communities and make them partners in responding to underlying public safety concerns.¹¹



The residential unit for girls and young women placed at the Victor Cullen Center

¹⁰ Ibid (internal citations omitted).

¹¹ Justice Policy Institute (2020) Sticker Shock: The Cost of Youth Incarceration. Justice Policy Institute, Washington DC, (page 12), available at: <https://justicepolicy.org/research/policy-brief-2020-sticker-shock-the-cost-of-youth-incarceration/>

DETENTION CENTERS

Baltimore City Juvenile Justice Center

The Baltimore City Juvenile Justice Center (BCJJC) is a hardware secure (maximum-security) detention center for boys. The Maryland Department of Juvenile Services (DJS/the Department) owns and operates BCJJC. The DJS-rated housing capacity is 120 youth. Black youth represented 92% of total entries during the first quarter of 2023 (compared to 88% during the same period in 2022). Hispanic/Latino youth represented 4% of the entries to BCJJC during the first quarter of 2023.

BCJJC – Selected Incident Categories	Q1 2021	Q1 2022	Q1 2023
Average Daily Population (ADP)	38	58	63
1. Youth on Youth Assault/Fight	32	52	51
2. Alleged Youth on Staff Assault	9	3	7
3. Physical Restraint	59	61	44
4. Use of Handcuffs and/or Shackles	20	21	12
5. Seclusion	16	17	4
6. Contraband	6	4	5
7. Suicide Ideation	3	4	7
8. Suicide Attempt	0	1	0
9. Self-Injurious Behavior	0	0	0

The average daily population at BCJCC increased by 9% during the first quarter of 2023 compared to the first quarter in 2022. When further comparing the same two time periods:

- The number of youth-on-youth incidents involving aggression slightly decreased while alleged youth-on-staff assaults increased.
- Staff physical restraints of youth decreased by 28% and staff use of handcuffs and shackles on youth inside the facility decreased by 45%.
- Reported seclusions of youth dropped by 75%
- Incidents involving contraband increased slightly and instances of suicide ideation also increased.

Physical Plant, Facility Security and Youth Needs.

While the physical plant of the detention component at BCJCC is a prison-like environment and staff struggled to provide the level of care needed to keep youth stable during 2022, an increase in activities available for the young people incarcerated there during the first quarter of 2023 is reflected in a diminution of agitation and incidents involving aggression among youth.

Water containers are available on all living units, but these were empty on occasion during monitoring visits – staff should ensure that youth always have access to fresh water.

Youth With High Mental Health Needs

As reported in 2022, youth in need of specialized mental health services continue to be inappropriately placed through the courts and the Department in secure detention environments where their conditions often worsen. The Maryland juvenile justice system cannot become a default component of the Maryland state mental health system. State government and its various departments need to comprehensively address the current severe shortages of in-patient psychiatric resources and comprehensive community-based mental health services. The lack of assessment and treatment availability for mentally ill children is causing a bottleneck 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. In the meantime, these vulnerable young people decompensate while they are stuck in DJS-operated secure detention facilities. As of the beginning of 2023, the DJS administration has been in discussion with leadership and middle management across state service agencies with a view towards addressing the resource shortage.

During the first quarter, there was a youth detained at BCJCC with significant mental health issues, including suicidal ideation, and he was housed in the medical unit. The young man, who has also been detained at BCJCC in the past, sleeps for large portions of the day and uses a weighted blanket to ease anxiety. The youth reported that he was hearing voices telling him to hurt himself (Incident 172687) and he punched a wall. On another occasion, the youth

asked to go to the bathroom and was subsequently found to be in possession of part of a plastic knife (Incident 172142).

During a monitoring visit in February of 2023, the youth started banging his head against a wall and saying he was going to kill himself. A case manager supervisor and the monitor processed with and stabilized the young man, informed facility administrators about the youth's situation and requested that mental health undertake further clinical assessments. The youth complained about a lack of available activities and wanting to go outside, and the case manager suggested taking the youth into an enclosed courtyard for therapeutic walks.

Activities and Programming

As of the first quarter of 2023, a program on fatherhood has restarted and is popular among youth. Additionally, all youth in the BCJJC detention component have opportunities to use facility resources such as the games room.

An outside vendor provides opportunities for some youth to play chess and staff select which youth will be allowed to play. More youth want to take part than are afforded a chance so the initiative should be expanded. There is a room outfitted as a small music studio and many of the young people at BCJJC express keen interest in using the resource to create their own music - unfortunately the room remains closed to youth. A staffer who offered parenting classes has restarted the initiative and the class is popular with youth.

Education

Starting in mid-2022, an independent Juvenile Services Education Program (JSEP) Board focused solely on education in DJS facilities took over responsibility for education services inside DJS facilities with implementation and resource assistance from the Department.

The JSEP leadership recently recruited a person to head library services who has initiated a timely system for youth to request and receive books; ensured a considerable number of additions to facility library inventories; and designated library space at each facility. Additionally, the Department is planning to have reading materials available in every living unit at every DJS facility.

At time of writing, internet connectivity issues have been addressed at BCJJC to ensure universal access to virtual education services when needed. While this is not ideal, it is an improvement over the "packets-based" classes that youth have had to make do with up to now when in-person and virtual learning were not available.

During the first quarter, the school at BCJJC organized and hosted a graduation ceremony for honor roll program students and their families; a job fair featuring local employers; and an art exhibition in which the young people incarcerated at BCJJC could display their creative work. All these events were successful, popular with youth, and well attended.

Cheltenham Youth Detention Center

Cheltenham Youth Detention Center (Cheltenham/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 young people. Black youth represented 71% of total youth entries during the first quarter of 2023 compared to 76% during the first quarter of 2022. Hispanic/Latino youth represented 17% of entries in during the first quarter of 2023 compared to 16% during the same period in 2022.

CYDC– Selected Incident Categories	Q1 2021	Q1 2022	Q1 2023
Average Daily Population (ADP)	32	38	63
1. Youth on Youth Assault/Fight	11	30	54
2. Alleged Youth on Staff Assault	2	10	9
3. Physical Restraint	18	73	67
4. Use of Handcuffs and/or Shackles	0	13	14
5. Seclusion	1	38	22
6. Contraband	5	4	8
7. Suicide Ideation	2	9	0
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	1	6	4

The average daily population at CYDC increased by 65% when comparing the first quarter of 2023 with the same period last year. Comparing the same two periods, fights and assaults among youth at the facility increased by 79%. The number of incidents involving staff

use of seclusion, physical restraint, and shackling (handcuffs and/or leg irons) on youth decreased compared with the first quarter of 2022 while reported contraband increased.

High Levels of Violence Including Group Fights

High levels of violence and youth conflict at Cheltenham were prevalent during the first quarter of 2023, and both youth and staff described conditions as unsafe at the facility. There were several incidents involving group fights and assaults and some of the assaults resulted in serious injuries to youth injuries requiring off-grounds medical attention, including the following:

- In Incident 172737, a youth assaulted another youth and broke his jaw and knocked out several of his teeth. The targeted youth required surgery and his jaw had to be wired shut for several weeks because of the nature and extent of the injuries.
- In Incident 172947, a youth was returning to a residential unit from the medical suite when he was assaulted by two youth. The youth victim suffered facial abrasions and was transported to a local hospital for evaluation and treatment.
- In Incident 173975, a youth was assaulted by multiple other youth from the same residential unit. The youth fell to the ground and several youth began to kick him in the head and elsewhere on his body. The youth reported symptoms associated with a concussion and his attorney requested off-grounds medical attention for him.
- In Incident 173230, two youth assaulted another youth. The targeted youth suffered bloodied face, neck, arms, and hands. Facility nursing staff arranged for evaluation at a hospital due to the extent of his injuries.
- In Incident 173193, four youth organized a group assault on two other youth living in the same residential unit. One of the targeted youth had a swollen eye and he was transported to a hospital emergency room for evaluation. The other youth who was attacked suffered a painfully swollen thumb.
- In Incident 173293, a youth grabbed a peer's lunch tray. When the youth tried to retrieve his tray, he was assaulted and sustained a head laceration requiring off-ground medical intervention. He also suffered from a swollen eyelid.

- In Incident 173353, three youth assaulted another youth from their residential unit. The attacked youth sustained a nosebleed and a painful jaw.
- In Incident 173546, several youth assaulted a peer on their living unit and kicked him while he was on the floor. The assault victim ended up with swelling under his left eye and a bloody nose.
- Grievance 18069 involved a youth who was frequently targeted by other youth and who told a DJS child advocate that he was scared for his safety because the youth on his residential unit wanted to jump him, and one youth had already tried to enter his cell to assault him. The anxious youth was assaulted several times on several different living units while incarcerated at Cheltenham (Incidents 172746, 172095, 173063, 173202) and sustained injuries including a black eye. To avoid assault, the youth asked to be held in seclusion.
- In Incident 173210, multiple youth on a living unit assaulted another youth as staff struggled to maintain control of the group.

An Unstable Environment

Violence throughout the Cheltenham facility was compounded by a lack of adequate supervision and structure that contributed to an overall unstable environment:

- In Incident 172746, youth were running and dancing around a living unit and standing on top of chairs and tables. During this frenzied activity in which youth movement was not adequately monitored, one youth assaulted a peer.
- In Incident 172701, two youths used slips of paper to prevent their cell doors from locking. They exited their cells one evening without staff noticing and entered a TV room located in their unit. They were in the TV room for 30 minutes before staff realized they were missing from their cells.
- In Incident 172823, youth were attending a life skills class taught by a community volunteer. During the class, a youth picked up a laptop computer and walked to the side of the room. The instructor asked the youth to return the laptop and to have a seat. The youth became upset and knocked over a tray of cupcakes that the instructor had brought for attendees to share after class. The agitated youth picked up a cupcake, walked over to the instructor and smeared cake frosting all

over her face. A DJS direct care staffer who was present did not intervene or try to stop the youth. When the instructor was later asked to complete a witness statement regarding the incident, she wrote that she was disappointed that staff did not do anything to try to prevent the incident from occurring or in any way intervene once events were in motion.

- In Incident 173224, a youth staying in the infirmary left the infirmary through an unsecured door and walked around the attached medical suite. He walked back into the infirmary then out again and went behind the nurses' station. Staff were unaware that he exited the infirmary area on either occasion.

Lack of Meaningful Activities Contribute to Lack of Stability

Cheltenham lacked structured programming throughout the reporting period that could have helped in reducing the number of aggressive incidents by keeping youth positively engaged. A large outdoor track and field remained underutilized because of lack of available staff to supervise youth while outside. Youth were scheduled to go outside on the back field at least once per week, but even this minimal amount of time in the open space was often not provided because of staffing issues.

MP3 players with music loaded onto them are provided at other DJS facilities to help youth cope with the monotony and boredom that comes with incarceration. Youth at CYDC have not had consistent access to this amenity and requests for a music production program and creative arts program have not been accommodated. Activity schedules developed by administration are not consistently implemented. Youth at a roundtable meeting with administrators during the first quarter of 2023 expressed frustration with activity schedules not being followed and the resultant excessive downtime. In Grievance 18031, a youth wrote that the facility does not offer the activities listed on the calendar and youth are bored. The youth continued: "We don't get to do the activities [so] what is it [the activities calendar] there for?"

School programming was impacted by facility climate and staffing issues during the reporting period. Disruption to schooling was partially due to youth conflict on living units which were primarily addressed by separating youth into groups within each unit. During periods of separation, unit groups were split with some youth going to school in the morning and others in the afternoon to prevent conflicting groups from being in school at the same time. This practice means students do not get a full day of in-person instruction. Additionally, if a youth on a unit refuses to move to school, the entire unit is often held back from school for the day because of a shortage of available staff to supervise youth movement and provide staff coverage for school-refusing youth at the same time. The lack of consistency in the provision of education services throughout the first quarter of 2023 prompted one youth to remark to a monitor that "school at Cheltenham is a joke".

Youth with High Mental Health Needs

Youth in need of specialized and intensive mental health services continue to be inappropriately placed in detention environments, including at Cheltenham. Staff schooled in a correctional approach often lack the necessary experience, skills, and professional expertise to approach and interact with youth in a trauma-informed and therapeutically conscious way even as youth with severe behavioral and mental health needs continue to be sent by the courts to DJS facilities. Department frontline staff primary mode of interaction with agitated youth is to elicit compliance through verbal directives, restraints, and isolation (seclusion). This approach is more likely to exacerbate mental health challenges than recognize and attempt to address them.

In Incident 173425, a youth with poor impulse control who experienced frequent bouts of emotional dysregulation was locked by staff in a unit television room for two hours (constituting de facto seclusion). During his time locked by himself in the room, the youth had moments of withdrawal in which he could be seen on video lying down in a fetal position across chairs. He also had agitated outbursts when he threw furniture, emptied a trash container scattering litter around, and broke a cord attached to a water cooler. No mental health professional or direct care staff entered the TV room to attempt to process with or even speak to the youth in response to the youth's emotional distress during these events.

Youth evidencing severe behavioral distress and mental health challenges should be provided with thorough psychological assessments and targeted interventions tailored toward the youth's capabilities, strengths, and needs. Such services need to be provided by specially trained clinicians and staff and via public and private providers and local and state entities specializing in the delivery of mental health services. This approach should be privileged over incarceration within the juvenile justice system.

Girls Housed at the Cheltenham Detention Center

For a detailed discussion of the experience of girls detained at Cheltenham, see the section on The Treatment of Girls in DJS-Operated Detention and Placement Centers (p. 9).

New Leadership at Cheltenham

The superintendent at Cheltenham (CYDC) resigned in March of 2023 after seven months in the position. At time of writing (May of 2023), the position is filled by an acting superintendent who is a seasoned and experienced professional within DJS and who will stay on as superintendent until a permanent replacement is appointed.

At time of writing (May of 2023), conditions at Cheltenham have vastly improved under the capable and effective leadership of the acting superintendent who is diligently working to stabilize facility culture and improve safety and programming. Areas of progress include:

-Reductions in incidents of violence

-An emphasis on staff training and mentorship (which is especially important as many direct-care staff at Cheltenham have less than two years of experience). Training efforts are being focused on key areas such as safety and security, de-escalation, and conflict resolution.

-A more effective incident review process to increase staff accountability and identify areas in need of improvement.

-An increase in the amount and consistency of programming offered to youth. Recently introduced activities popular with youth include bike riding, gardening, t-shirt making, a Mother's Day dance, a youth art show, and a residential unit of the week incentive program.

-A decreased reliance on social separation and an emphasis staff awareness of intra youth dynamics and proactive early intervention measures to address potential youth conflict.

-A prioritization of consistent school attendance for students at Cheltenham.

At the same time, excessive staff overtime resulting in burnout and ultimately, staff attrition, remain major issues of concern. Cheltenham needs more staff on the ground to be able to permanently increase programming and provide more individualized supervision and services for the youth under their care. The Department acknowledges and is working to address the staffing issue.

Charles H. Hickey, Jr., School

The Charles H. Hickey, Jr., School (Hickey) in Baltimore County is a hardware secure (locked and fenced) 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 youth. Black youth accounted for 84% of entries during the first quarter of 2023, an increase of 8% compared to the same period in 2022. Hispanic/Latino accounted for 3% of entries during the first quarter this year, down from 13% at the same time in 2022.

Hickey – Selected Incident Categories	Q1 2021	Q1 2022	Q1 2023
Average Daily Population (ADP)	32	41	54
1. Youth on Youth Assault/Fight	11	44	64
2. Alleged Youth on Staff Assault	2	1	0
3. Physical Restraint	8	47	71
4. Use of Handcuffs and/or Shackles	0	13	10
5. Seclusion	1	12	14
6. Contraband	3	3	3
7. Suicide Ideation	3	2	1
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	0	0

The average daily population of youth in Hickey increased by 31% when comparing the first quarter of 2023 with the same time in 2022.

Comparing the first quarter of 2023 with the same time last year:

- Incidents involving youth on youth fights and assaults increased by 45%.
- Physical restraints are up by 52% and instances of seclusion have risen.
- Use of mechanical restraints (handcuffs and/or leg irons) inside the facility decreased.

Mental health professionals have become more of a presence on residential units, but there is a need for more mental health-related programming for youth and enhanced training for staff.

Youth With Complex Medical Needs

Detention centers are not designed to meet the needs of children with significant medical issues and Hickey continues to house a paraplegic young man who uses a wheelchair for mobility. During a March 2023 visit, the young man reported a delay in the arrangement and provision of both trauma-related and physical therapy services.

Recreation and Activities

The Hickey administration and staff are involved in continuous efforts to create and offer youth a variety of meaningful activities and outlets for positive engagement.

During the first quarter, the young people at Hickey played sports in the facility gym and outdoors when the weather permitted. In addition to mandated full body exercise and various gym-based events such as 3-point-shot basketball competitions and weekend tournaments, all students were offered opportunities to use an onsite games room in addition to being provided with board games and video games. At Hickey, each youth living unit has a dedicated “weekend activity wagon” with offerings including a variety of games.

Students at Hickey celebrated Black History Month through involvement in creative outlets involving black history flags, rapping, decorating, an oratorical contest, painting, and producing poster art featuring black civil rights heroes. Youth also watched movies that chronicled the achievements of people of color. The young people at Hickey marked Women’s History Month with similar activities with the addition of themed educational games, “Funnel Cake Friday’s”, extra outside blacktop recreation, and a jeopardy competition.

Youth at Hickey have inconsistent access to an onsite therapy dog and have said they would like to have more time with the dog, especially during break times and when the residents are on their living units.

Contact With Loved Ones

The young people at Hickey are now receiving an allowance of five phone calls per week and have opportunities to earn additional calls.

Some youth detained at Hickey in Baltimore County are from other parts of Maryland (including Prince George's County and Baltimore City) and several have requested to be allowed to transfer to a DJS detention center closer to their homes and families.

Physical Plant

The physical plant at Hickey is old and in need of renovation. During the first quarter, the Ford Hall building was closed and work on that section of the Hickey facility is ongoing.

Education

The school at Hickey and inside all DJS-operated detention and committed placement centers is staffed and supervised by the Juvenile Services Education Program (JSEP) superintendent. Education services are overseen by the superintendent and an independent school board with administrative coordination and assistance provided by DJS.

At time of writing (late May of 2023), students at Hickey are taking in-person classes. However, there is a vacancy for a science teacher and youth taking science classes are connected virtually with JSEP teachers in western Maryland.

The education department in Hickey needs a full-time onsite librarian and there are also vacancies for school-based office positions.

Shelter Care

There is a shelter care program for boys and girls on the grounds outside the fence of the Hickey hardware secure (maximum security) detention component. The program started in 2022 and is overseen by DJS administrators from the Hickey detention center. Direct-care staff from Hickey supervise the youth in shelter care. During the first quarter, young people at the shelter complained about a surfeit of down time and the boredom that comes with little to do.

The limited services and programming offered at the shelter and the nature of the supervision initially resembled those within the detention facility and, although there have been some improvements introduced over the months since it opened, the shelter is still a more institution-like than a home-like experience for the young people who stay there. While a social worker periodically visits the young people in the shelter, youth there said they need more access to mental health-related services. One young person was provided with off-site mental health-related services following an altercation at the shelter in early February.

There are issues with education services at the shelter at times during the quarter when students did not have access to in-person teaching or consistent access to virtual instruction and instead were left to fill out "packets" of class work. The children and youth in the shelter

should be enrolled in local community schools and, at time of writing (late April of 2023), the Baltimore County school system is in the process of taking over the provision of education services for the young people at the Hickey shelter. Baltimore County authorities should ensure that youth from the shelter are enrolled in local community schools in the county.

Youth in shelter care at Hickey are not allowed to leave the grounds by themselves, yet there were no plans for any off-site activity-related opportunities for youth when the shelter first opened in 2022. There has been some improvement in providing opportunities for off-ground outings, but the youth placed in the shelter need to have access to a variety of off-site activities on an ongoing basis.

The young people in the shelter component outside the maximum-security Hickey facility should not have to wear regular Hickey detention center garb, but instead should be able to wear their own clothes (or at least be provided with a reasonable level of choice in clothing).

There was some positive change regarding clothing issues during the reporting period as the Department has started to provide different clothing to the type issued inside the Hickey detention component. However, the youth placed in the shelter still need to be allowed more input concerning available clothing choices; during a monitoring visit in February of 2023, the boys at the shelter were all wearing neon yellow polo shirts while a girl placed in the shelter was wearing a neon pink polo shirt.

When the shelter opened, the provided methodology for youth telephone access to stay in touch with family members was limited to the same private provider supplied service used for incarcerated youth and adults and all calls (except to lawyers) through this mechanism are recorded. The situation has been somewhat ameliorated by the addition of telephone and virtual calls through case management that are not recorded, however the Department should ensure all calls to and from the shelter are not subject to being recorded.

During the quarter, a young person at the shelter who has a child asked for virtual access to remain in contact. All reasonable requests for contact should be accommodated.

The physical plant was renovated before the shelter was opened but, during the reporting period, the door to the girls' bathroom did not lock or even close completely. The shower in the boys' bathroom also needed to be repaired as the water frequently ran cold.

Thomas J.S. Waxter Children's Center

The Thomas J.S. Waxter Children's Center (Waxter) in Laurel (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 Waxter facility was aged, cramped and in disrepair and so the Department refurbished the Noyes secure detention center in Montgomery County to serve as an all-girls detention facility. Noyes was also an old facility, but the physical plant was in slightly better condition in some respects than the wholly decrepit Waxter center. Waxter was closed and the girls housed there were transferred to the Noyes facility in March of 2022.

In April of 2022, an air conditioner handler unit caught fire at the Noyes facility and the girls were relocated to a unit at the DJS detention center for boys located in Cheltenham, Prince George's County (the Cheltenham Youth Detention Center/CYDC), until repairs could be made to the Noyes AC unit. In June of 2022, the girls were transported back to the Noyes facility in Rockville.

In mid-October of 2022, the Noyes facility for girls was closed again and detained girls awaiting adjudication and multiple staff from Noyes were again transferred to the detention center for boys in Cheltenham (CYDC), this time as part of a belated measure to bolster critically low staffing levels at the Cheltenham facility.

At time of writing (April of 2023), detained girls remain all together in one 12-cell residential unit at Cheltenham. When the population capacity for girls is reached on the CYDC unit, newly detained girls are sent to a DJS detention center on the lower eastern shore (Lower Eastern Shore Children's Center/LESCC). During early April of 2023, both CYDC and LESCC reached the limit of their spatial capacity to house girls/young women, and any newly detained girls are likely to be securely transported (i.e., shackled and moved by van) to the DJS detention center for boys in Hagerstown, western Maryland.

Instead of a makeshift approach to the housing of detained girls and young women that results in sending them to inappropriate settings, the Department needs to prioritize the needs of the girls and young women entrusted to its care.

Alfred D. Noyes Children's Center

The Alfred D. Noyes Children's Center (Noyes), 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 population capacity of 29.

Noyes was temporarily closed in early December 2021 and boys and girls housed at Noyes were moved to other DJS detention centers while the Department arranged the conversion of Noyes to an all-girls detention center. After the conversion, girls housed at the aged and deteriorating Waxter detention center in Laurel were moved to Noyes in March of 2022. Due to both facility conditions and staffing issues, detained girls were displaced from Noyes several times during 2022.

In April of 2022, an air conditioner handler unit caught fire at the Noyes facility and girls were relocated to a single unit at the Cheltenham Youth Detention Center (CYDC/Cheltenham) for boys until repairs could be made to the AC unit. The girls were transported back to the Noyes facility in June of 2022.

In mid-October of 2022, the Noyes facility for girls was again shuttered and detained girls awaiting adjudication and multiple staff from Noyes were transferred to Cheltenham, this time as part of an effort by the Department to address long neglected staffing availability issues at CYDC.

At time of writing (May of 2023), the Noyes facility remains closed for an indeterminate period and most of the securely detained girls in the state are being held in the single 12-cell unit at Cheltenham. When capacity is reached on that unit, newly detained girls are taken to Lower Easter Shore Detention Center (LESCC) in Salisbury or, potentially, to the DJS detention facility for boys in western Maryland (WMCC/Western Maryland Children's Center).

When Noyes was open, it was staffed by direct care workers and teaching staff experienced in working constructively and empathetically with detained girls and young women. The physical plant at Noyes consisted of several living units and this meant more space and scope for youth. Adequate residential space at Noyes also allowed for separation of youth as necessary (for example, in quarantining newly admitted and COVID-19 positive youth) and meant that staff could more easily manage group dynamics.

The location of Noyes in Rockville, Montgomery County, empowered DJS management and education administrators to leverage local resources, including enhanced education services, which benefited both youth and staff. Detained girls' academic performance suffered following each movement of youth and staff from Noyes – youth grades and other markers of academic progress were demonstrably better when they had their own school at Noyes where an established and dedicated cadre of teachers and principal were able to provide individualized attention and coaching. The resultant academic gains eroded or devolved each time the girls were moved to a single living unit in Cheltenham.

Girls in the juvenile justice system have different medical, reproductive health, mental health, and trauma-related needs than boys. If the state continues to incarcerate girls¹², they deserve adequate space and services as well as a setting that is tailored to meet their needs and circumstances. Relegating detained girls and young women to a single unit in a secure detention facility set up to serve boys and young men indicates a lack of appropriate planning and dedication of resources and arguably demonstrates a casual disregard for the well-being of girls in DJS custody. As a Noyes staffer remarked, “they just treat these girls like chattel, moving them constantly from one place to another without thinking of how it will impact them.”

The back and forth that detained girls endured during 2022 was essentially due to the Department’s years-long failure to permanently address longstanding physical plant problems at facilities used to house girls and young women. The transfer - in the fall of 2022 - of detained girls from Noyes to Cheltenham (where they remain at time of writing) was necessitated by the Department’s failure to address obvious staffing-related issues at the Cheltenham facility until the situation reached a crisis point.

New leadership at DJS commissioned a study of staffing issues during the current reporting period and is currently actively attempting to address the issue. The Department is currently concerned about the paucity of resources available to the girls and young women held in secure detention at Cheltenham and elsewhere.

Department leadership is also concerned about the girls and young women who are transported to and housed on a single unit at the Victor Cullen committed placement facility for boys in western Maryland.

For detailed information on the situation facing girls and young women in DJS operated detention and placement facilities, please read the section of this report entitled, “The Treatment of Girls in DJS-Operated Detention and Placement Centers”, beginning on page 9.

¹² Some states and jurisdictions have committed to ending the incarceration of girls by devoting resources to community-based interventions, supports, and programs that can better serve the needs of young people. See Dholakia, Nazish and Rosenthal, Lindsay (October 4, 2022), “Hawai’i is so Close to Ending the Incarceration of Young Girls, Vera Institute of Justice, available at: [Hawai’i Is So Close to Ending the Incarceration of Young Girls | Vera Institute](https://www.vera.org/ending-mass-incarceration/reducing-incarceration/reducing-jail-and-prison-population/ending-girls-incarceration-initiative#:~:text=Vera's%20Initiative%20to%20End%20Girls,juvenile%20legal%20system%20by%202030). See also the Vera’s Initiative to End Girls’ Incarceration, available at: <https://www.vera.org/ending-mass-incarceration/reducing-incarceration/reducing-jail-and-prison-population/ending-girls-incarceration-initiative#:~:text=Vera's%20Initiative%20to%20End%20Girls,juvenile%20legal%20system%20by%202030>.

Lower Eastern Shore Children’s Center

The Lower Eastern Shore Children’s Center (LESCC) is a hardware secure detention center located in Salisbury, Maryland. 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. Black youth represented 79% of entries during the first quarter of 2023, down from 84% during the same period last year.

LESCC – Selected Incident Categories	Q1 2021	Q1 2022	Q1 2023
Average Daily Population (ADP)	12	16	16
1. Youth on Youth Assault/Fight	5	9	7
2. Alleged Youth on Staff Assault	1	1	1
3. Physical Restraint	20	42	25
4. Use of Handcuffs and/or Shackles	0	1	0
5. Seclusion	0	1	1
6. Contraband	6	1	1
7. Suicide Ideation	5	3	0
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	0	1

The average daily youth population at LESCC was 16 during the first quarters of both 2022 and 2023. Although the average daily population did not change, fights and assaults among youth decreased and physical restraint was used far less frequently by staff.

Active recruitment efforts during the reporting period resulted in newly hired staff beginning work at LESCC. As overall staffing levels are improving, the master control area in the facility should be bolstered so there is more one person there during youth waking hours.

Youth Safety

In Incident 173186/173145, there were two female staffers present when a male youth and one of the female staffers became embroiled in a verbal back and forth. The youth became agitated and shoved the staffer, who fell. The second direct care staffer who was present prevented the youth from approaching the staffer while she was on the floor. After the first staffer got back up from the floor, camera footage shows that she approached the youth who was being held by the second staffer and (as described in a report from the Department's internal investigation unit [DJS OIG]) struck him "on the right side of his face." The staffer holding onto the youth moved to physically restrain him as the staffer who struck the youth moved backwards and away from the youth and called for further staff assistance. The youth calmed down once the staffer with whom he was upset moved away from the scene.

Activities

Leadership at Department headquarters and at individual DJS facilities including LESCC have begun prioritizing the need to expand the availability of constructive activities and mentoring for youth. As a result, programming and activities increased at LESCC during the reporting period and included guest speakers from academic institutions and the formation of a mentoring group, in addition to the availability of more activities such as arts and crafts and gardening. Young people at LESCC also had an opportunity to take part in the Departments' Reflections exercise and adventuring program. The Reflections initiative would benefit from more staffing so it can be offered to all youth on a regular basis.

A small kitchen area with a stove used for baking activities was converted to a classroom. However, there is potential classroom space available which is not currently being utilized for school activities – if it were to be used, youth could again use the kitchen space for baking.

Youth at LESCC (and at the other DJS-operated detention and committed placement facilities) have the use of small personal MP3 players with earphones to listen to music during daytime downtime. The Department should consider allowing all youth in DJS detention and committed placement facilities to also have the players for use in their cells at night.

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 owned and operated by the Maryland Department of Juvenile Services (DJS/the Department). Black youth represented 84% of total youth entries during the first quarter of 2023, an increase compared to 77% over the same period in 2022 (and a very large proportional increase compared with 48% during the first quarter of 2021). Staffing is being bolstered at WMCC and activities for youth have also increased.

WMCC – Selected Incident Categories	Q1 2021	Q1 2022	Q1 2023
Average Daily Population (ADP)	12	14	13
1. Youth on Youth Assault/Fight	8	11	4
2. Alleged Youth on Staff Assault	1	3	4
3. Physical Restraint	19	34	30
4. Use of Handcuffs and/or Shackles	2	6	14
5. Seclusion	0	5	9
6. Contraband	1	2	0
7. Suicide Ideation	1	1	0
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	0	1

The average daily population at WMCC decreased by 11% (or by 1 youth) during the first quarter of 2023 compared with the same time last year. Fights amongst youth fell by 66% and staff use of physical restraints also decreased. However, instances of seclusion substantially increased as did usage of mechanical restraints (handcuffs and/or leg irons) inside the facility.

COMMITTED PLACEMENT CENTERS

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 youth. Black youth represented 87% of total entries during the first quarter of 2023 compared with 77% during the same period in 2022 (and 68% in the first quarter of 2021).

Victor Cullen – Selected Incident Categories	Q1 2021	Q1 2022	Q1 2023
Average Daily Population (ADP)	11	13	22
1. Youth on Youth Assault/Fight	5	3	11
2. Alleged Youth on Staff Assault	2	1	1
3. Physical Restraint	12	7	18
4. Use of Handcuffs and/or Shackles	8	3	3
5. Seclusion	3	1	2
6. Contraband	1	0	2
7. Suicide Ideation	0	1	0
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	1	1	0

The average daily population at Cullen increased by 73% when comparing the first quarter of this year with the same time in 2022. Further comparison of the same two time periods shows that the number of youth fights more than tripled and staff usage of physical restraints on youth more than doubled. Incidents involving seclusion and contraband also increased.

The Victor Cullen Center is suffering from a shortage of staff reporting for work and, at times during the first quarter of 2023, there was only one staff member available for coverage of

each residential unit. This available staffing shortage frequently interferes with student movement to school, to recreation and to meals in the facility cafeteria. Staff who do consistently report for work are often held over and required to complete an extra work shift due to a lack of available direct care staff.

Incidents and Youth Safety

There was an incident of particular concern at Victor Cullen during the reporting period:

A monitor viewed camera footage of Incident 173392. The footage showed a staffer getting very close to a youth's face and appearing to instigate a physical response from the youth. The staffer later alleged that the youth headbutted him during this incident, however the footage does not bear out the accuracy of the allegation nor of any other aggressive action by the youth. The youth can be seen backing away and then attempting to walk away from the staffer. The staffer follows the youth and then tackles and physically takes the young man down to the floor. The staffer's actions were reported to Child Protective Services, and he no longer works for DJS.

The youth in the incident just described above was ejected from the Cullen facility upon the staffer's assertion that the youth headbutted him. The young man was able to return to Cullen after the staffer's misrepresentation of facts about the incident became came to light.

Girls Placed at the Victor Cullen Center

For a detailed discussion of the experience of girls sent to placement at Victor Cullen, please see the section entitled, "The Treatment of Girls in DJS-Operated Detention and Placement Centers", beginning on page 9 of this report.

Recreational and Miscellaneous Activities

Staff at Cullen held a party to celebrate an incarcerated girl's birthday and also hosted a pizza party for one of the boys' units as a reward for positive behavior.

The Department has reconstituted the CHAMPS intramural sports program and youth at Cullen had opportunities to take part in competitive events during the reporting period.

While the number of activities available to youth is increasing at the facility, staff in charge of recreation at Cullen need to plan and implement more recreational services in addition to daily exercising activities.

There is a therapy dog called Colt on the Victor Cullen campus at times. Colt is extremely popular among the young people incarcerated at Cullen and youth should ideally have an opportunity to interact with the therapy dog every day.

Education

The Juvenile Services Education Program (JSEP) is responsible for education services at all DJS secure detention and committed placement facilities, including the Victor Cullen Center.

During the reporting period, several students at Victor Cullen earned enough class credits to achieve graduate status from high school and school personnel organized celebrations for these young people and their families. As part of a graduation ceremony held at the end of March, there was a slideshow featuring the graduates and organized by the school counseling department. An expansion of graduation ceremonies to allow for all available youth and staff to attend would further enhance such celebrations.

Once students have achieved a high school diploma, there are a series of short certification courses that are available as online classes, including OSHA 10 and 30 (10- and 30-hour occupational safety-related courses), construction site flagger and two food hygiene/safe food handling modules. High school graduates also have access to some online community college courses. JSEP leadership and DJS headquarters administrators are seeking to expand post-high school level offerings for the young people in DJS-operated facilities.

During the first quarter, school personnel at Cullen organized a series of events for Black History Month, including a poster contest and art activities, and the awarding of prizes to students for completion of educational projects centered on Black history and the school principal treated students to a special lunch.

Youth at Cullen authored essays during the reporting period about the importance of educational achievement in alleviating poverty and mitigating crime. Students at Cullen are prime participants in a new initiative called the ambassador program which pairs students with visitors and gives students responsibility for showing guests around the Victor Cullen campus.

The student ambassador program is facing delays in implementation because of DJS direct care staffing availability. And, at times during the first quarter, educational services at Cullen were also delayed due to a shortage of DJS direct care staff reporting for work. This situation is reflective of a serious and broad staffing problem which encompasses the DJS-operated committed placement and detention facility system as a whole and involves a considerable number and proportion of staff being unavailable to report for work due to medical and other issues. The issue is a longstanding one and the new departmental administration is actively researching and moving to address the problem.

Garrett Children's Center (formerly Savage Mountain Youth Center)

The Garrett Children's Center (GCC/Garrett 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. The facility is in rural Garrett County in western Maryland.

There were no youth placed at GCC during the reporting period, however, education staff report to the facility and broadcast virtual classes to various other DJS facilities to mitigate teacher shortages. Security staff and some administrators also report to the facility. Vacancies for superintendent and assistant superintendent positions at GCC were filled toward the end of 2022. At time of writing (May 2023), the Department reassigned the superintendent and assistant superintendent from the Garret facility to the Victor Cullen Center to bolster staffing of the girl's program at Victor Cullen.

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 and renamed it Garrett Children's Center. Garrett Children's Center was fully operational for two years (from December of 2018 to December of 2020) before it closed to youth in 2021, following a COVID-19 outbreak at the facility.

The significant fiscal and human resources spent on keeping the facility open could be more effectively spent on further increasing the availability of community-based programming for young people. As researchers on juvenile justice issues 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."¹³

DJS should not reopen Garrett Children's Center as a residential placement for youth as continuing to invest in remote congregate care facilities constitutes a flawed approach to youth justice and experts in the field have concluded that "consistently brutal conditions, stark racial disparities, dismal outcomes, and high costs have characterized youth prisons since their birth."¹⁴

¹³ Office of Juvenile Justice and Delinquency Prevention (OJJDP), OJJDP Priorities, available at [OJJDP Priorities | Office of Juvenile Justice and Delinquency Prevention \(ojp.gov\)](#)

¹⁴ Schiraldi, Vincent (June 2020), Can We Eliminate the Youth Prison? And What Should We Replace it With?, Executive Session of the Future of Justice Policy, The Square One Project, available at [Can We Eliminate the Youth Prison? \(And What Should We Replace It With\)? | By Vincent Schiraldi \(June 2020\) - Square One Project \(squareonejustice.org\)](#)

Youth Centers x2

The youth centers, located in remote western Maryland, consist of two separate staff secure (not fenced and locked) facilities for boys. Both centers are owned and operated by the Maryland Department of Juvenile Services (DJS/the Department). The facilities are Green Ridge (26-youth capacity) and Backbone Mountain (28-youth capacity).

Combined Youth Centers (x2) – Selected Incident Categories	Q1 2021	Q1 2022	Q1 2023
Average Daily Population (ADP)	22	28	51
1. Youth on Youth Assault/Fight	3	9	21
2. Alleged Youth on Staff Assault	5	3	6
3. Physical Restraint	16	34	91
4. Use of Handcuffs and/or Shackles	7	3	13
5. Seclusion	0	0	1
6. Contraband	2	2	4
7. Suicide Ideation	0	9	7
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	0	0

The number of young people being sent to DJS-operated committed placement centers is substantially increasing, as indicated by the data in table above (just compare the average daily population columns in the table above for proof). In fact, the average daily population at the youth centers increased by 81% when we compare the first quarter of 2023 (51 youth) with the same period in 2022 (when the average daily population was 28 youth).

There is a concurrent alarming upward trend in disproportionate representation of youth of color in the two youth centers, which represent the deepest (carceral) end of our state's

juvenile justice system. Black youth represented 83% of total youth entries to the youth centers during the first quarter of 2023, an increase in disproportionality compared to 80% of entries during the same period in 2022 (and to 78% of entries during the first quarter of 2021). Hispanic/Latino youth represented 7% of entries to the youth centers during the current reporting period.

Continuing the comparison between the first quarter of 2022 with the first quarter of 2023:

- The number of incidents involving youth fights and assaults more than doubled, as did the number of incidents during which staff physically restrained youth.
- Incidents of staff use of mechanical restraints (handcuffs and/or leg irons) on young people inside the youth center facilities more than quadrupled.

Constructive Activities

The availability of constructive activities for incarcerated young people is increasing at both youth centers and includes the restarting of off-ground outings. However, at Backbone Mountain, youth are still left without on-site recreational opportunities at times. The recreation specialist Backbone should consistently ensure there is a variety of activities available to youth.

Food Services

Youth have consistently complained about the food at Backbone Mountain Youth Center. At time of writing (May 2023), the situation remains problematic and facility staffers confirm the youths' negative impressions as they also describe the food as "horrible."

Silver Oak Academy

Silver Oak Academy (SOA/Silver Oak), 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.

Due to concerns about staff supervision issues, youth safety, and problems within the education department at Silver Oak, all residential youth placed through DJS were removed from the program in May of 2022 and new admissions to the program through DJS were indefinitely halted.

SMALLER FACILITY UPDATES

SMALLER FACILITY UPDATES

Morning Star Youth Academy

Morning Star Youth Academy (Morning Star) is a staff secure (not locked or fenced) committed placement center on Maryland's eastern shore. The facility is operated by VisionQuest, Inc., and is licensed by DJS to house up to 24 youth.

Morning Star utilizes a trauma-informed approach called the Sanctuary model. Therapeutic and treatment services at the facility are provided onsite and supplemented by clinicians from community mental health organizations. Youth at Morning Star participate in on- and off-site recreational activities including biking, swimming, yoga and mindfulness, and musical instrument instruction.

The young people at Morning Star also volunteer for various activities in the surrounding local communities, including helping children with their schoolwork and packing meals for a local charitable organization. Youth from the facility recently volunteered at a triathlon, a duathlon, and at a power boat event. Some youth also work locally (including with a landscaping company and at a restaurant).

One Love Group Home

One Love Group Home (One Love) is an 8-bed group home in Baltimore City operated by Building Communities Today for Tomorrow, Inc. The home is licensed by and receives referrals from the Department of Juvenile Services (DJS) and began receiving referrals to house youth involved with the Maryland Department of Human Resources during the second quarter of 2022.

One Love partners with community-based organizations to provide therapy, education, employment, and enrichment opportunities for young people while they reside in the home-like environment offered by the small community-based facility. Students from One Love are enrolled in local schools and work toward achieving a high school diploma. Family contact and family involvement in youth progress is encouraged by facility administrators.

Due to the nature of the program, older youth who are interested in and motivated to develop skills for independent living are the best candidates for successful program completion. Young people who need enhanced therapeutic support and intensive services and/or highly structured routines and environments may face difficulties at One Love. The Department should align youth referrals to One Love with the level of care and services available at the home.

Given the community-based location and ease of accessibility to the facility, One Love administrators should increase safety precautions by having security cameras installed in the front and back of the home as well as in interior common areas.

At time of writing (May of 2023), the facility is arranging for the addition of some security cameras.

MARYLAND DEPARTMENT OF JUVENILE SERVICES - RESPONSE



DEPARTMENT OF JUVENILE SERVICES RESPONSE TO JJMU 2023 FIRST QUARTER REPORT

The Department of Juvenile Services (DJS) is pleased to share this second response to a Juvenile Justice Monitoring Unit (JJMU) report since DJS Secretary Vincent N. Schiraldi's confirmation in February 2023 under the Administration of Governor Wes Moore.

As discussed with JJMU leadership and staff, DJS has reviewed past responses to JJMU reports and is now exploring an alternative format and approach to responding to JJMU concerns outlined in their regular reports, with this Quarter's report the first example of this new approach. Thus, in this response DJS will be providing more high level information, including data trends and quality assurance (QA) information regularly captured by DJS, and less facility and case-specific information in response to concerns raised by JJMU. With this new approach DJS hopes to provide more useful information for key stakeholders, including the public, and that its response will be a more effective and efficient use of DJS and JJMU staff time.

Upon review of the JJMU 2023 First Quarter Report DJS provides the following response:

As in DJS' response to the JJMU's most recent report – the Fourth Quarter of 2022 and 2022 compendium – DJS does not take issue with many of the findings expressed in the JJMU report and shares the concern that despite improvements in some areas in recent years, conditions of confinement in DJS detention and commitment facilities are quite concerning and need to be improved substantially. This is true despite the hard work by committed and passionate DJS staff, who work every day with challenging youth under difficult circumstances.

DJS also appreciates JJMU’s recognition of the efforts and progress made during the initial transitional period under Secretary Schiraldi’s leadership, including:

- DJS management touring all detention and placement facilities (often repeatedly) to meet with youth and with the staff working with youth, a fresh approach undertaken so that headquarters staff can better understand the situation “on the ground” and prioritize accordingly;
- DJS initiated a new strategic planning process, which includes soliciting input from staff across the agency and key stakeholders. The strategic plan will include steps designed to ensure that the young people served by the Department are offered appropriate services, supports, and opportunities to increase their likelihood of success while connected to DJS and within their communities both while under DJS supervision and beyond;
- New managers being appointed in key leadership positions, including the Deputy Secretary for Residential Services (formerly “Operations”) and the superintendents at the two most historically troubled DJS-operated secure detention centers: the detention component at the Baltimore City Juvenile Justice Center and the Cheltenham Youth Detention Center in Prince George’s County;¹⁵
- DJS leadership recognizing the need for, and taking initial steps towards, reorienting both detention and committed placement facilities where children and young people are incarcerated from an overly correctional approach to an individualized and needs-centered approach to services, supports, and opportunities that are built on the principles of positive youth development;
- Notable progress in a short amount of time in improving agency culture and responsiveness to youth and family needs, including through the following activities and advances initiated by Department leadership:
 - Arranging for Residential Services leadership and staff to participate from June 26-30 in the “Youth in Custody” certification program offered by the Center for Juvenile Justice Reform at Georgetown University¹⁶ to become familiar with national best practices and learn strategies developed to improve outcomes for the young people in the deep end of the juvenile justice system;

¹⁵ It warrants noting that many of these management changes in our Residential Services Division occurred during or after the evaluation period of this report.

¹⁶ See Youth in Custody Certificate Program, Center for Juvenile Justice Reform, available at: https://cjjr.georgetown.edu/certificate-programs/youth-in-custody/?utm_campaign=external2023&utm_medium=email&utm_source=govdelivery

- Facilitating an assessment of DJS residential facilities by a team of national experts from the Council of Juvenile Justice Administrators (CJJA) and funded by the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP). The team will make recommendations on best practices and a work plan moving forward;
- Visits to states and jurisdictions with model approaches to young people in contact with the juvenile justice system;
- Working with, and ultimately hiring,¹⁷ a national expert on education for youth involved with the justice system to enhance and bolster academic options for youth;
- Joint planning by DJS and JSEP for after-school options for the first time in DJS facilities. The Department is also preparing to offer job and skill-related activities at facilities outside of daily school time, including on weekends;
- JSEP and DJS working together to expand education and job training offerings for youth who have a high school diploma. JSEP and DJS facility staff have also been involved in organizing graduation ceremonies for incarcerated students who achieve enough credits to qualify for a high school diploma;
- JSEP library services for youth have improved considerably and systems were put in place by JSEP during the reporting period to ensure incarcerated young people have timely access to requested reading materials;¹⁸
- Internet connectivity issues have been comprehensively addressed by the Department and work on ensuring universal access across DJS detention and committed placement facilities is almost complete; and
- Staffing patterns and options are being examined and explored within DJS with a view toward improving quality of job-life issues for DJS facility staff. During the first quarter of 2023, open staffing positions were being addressed and filled by the Department. DJS facilities are on the way to being fully staffed at the direct care level.

¹⁷ This national expert was hired after this evaluation period.

¹⁸ NB: DJS has begun working with Dwayne Betts and Freedom Reads to install libraries in living units in all DJS residential facilities, starting in June with BCJC (see below).

Moving forward, DJS remains committed to achieving Governor Wes Moore’s goal of having the nation’s best youth services agency and to “Leave No One Behind.” DJS leadership believes that by working hand-in-hand with Maryland’s youth, families, communities, and key stakeholders within and outside of the formal justice system, we can achieve Governor Moore’s goals.

Specifically, DJS intends to partner with the communities that are least resourced and most heavily impacted by the youth justice system in ways that are unprecedented for DJS or any other youth justice agency. It is critically important to recognize that the young people in our care come disproportionately from communities of color, particularly Black communities. In all of the Department’s work, we will prioritize efforts to achieve fairness, equity, and decency in our system, which DJS firmly believes will lead to safer and stronger communities throughout Maryland.

Towards that end, DJS will enlist local communities in partnership with the Department to help change our young people’s trajectory to one of hope and success, relying less on placing them in custodial facilities. Together, DJS intends to find new ways to work with youth, families, and communities to improve outcomes for young people. This includes further reducing their recidivism rates, and also improving positive outcomes like educational attainment, workforce development, civic engagement, arts and athletics programming, and other positive youth development opportunities.

In addition, though new leadership has only been in place for approximately four months, there have been numerous other concrete steps that DJS has taken to address findings in JJMU’s reports. These include:

New Leadership

Antonia Reason is now DJS’ Deputy Secretary of Residential Services, effective June 6th. Over her career, Antonia has held numerous positions serving youth in residential care in both Virginia and Maryland. She has worked at DJS since 2013, serving as Superintendent, Assistant Superintendent, and Adjunct Trainer, and previously had worked with the Virginia Department of Juvenile Justice from 2003 to 2013, serving in a range of positions from front-line correctional staff to managerial positions in secure youth facilities. She brings broad experience in youth corrections, program and policy development. Antonia is also well respected by staff and youth in DJS care.

DJS created a new position within the agency to help drive education programming for youth in DJS facilities and in the community, and named David Domenici as its new Senior Advisor to the Secretary and Director of Education, starting on June 7th. David will be advising the DJS leadership team on education issues and will work in partnership with JSEP Superintendent, Kim Pogue, to provide outstanding educational opportunities for all young people who come into contact with DJS, both within our facilities and in the community. In addition, in order to coordinate our educational programming

more efficiently and effectively, DJS' Education Transition Unit previously reporting to the Deputy Secretary of Community Services is now under the Director of Education.

David comes to DJS with a wealth of experience in education for youth in the juvenile justice system, where he has become a nationally recognized leader on these issues. David co-founded and served as the Executive Director of The Maya Angelou Schools, a network of alternative schools in Washington, D.C. He also served from 2007 to 2011 as the founding principal of the Maya Angelou Academy, the widely acclaimed school located inside the New Beginnings Youth Development Center, D.C.'s long-term, secure juvenile facility. David left the Academy in 2011 to form BreakFree Education, a national non-profit organization created to radically improve education in the juvenile and criminal justice systems by investing in the potential and dignity of all of its students. BreakFree works with juvenile justice agencies and their education partners across the country, and operates the Travis Hill Schools, located inside of the juvenile detention center and adult jail in New Orleans. David will be working for DJS half-time as he also continues to serve as Executive Director of BreakFree Education.

DJS also named Lisa Garry Deputy Secretary for Community Services, effective June 14. Lisa formerly served as Executive Director for DJS' Office of Equity and Inclusion and brings a wealth of experience – both within DJS and nationally – to this position. Lisa joined the Department in 2011 to lead statewide detention and race equity reform strategies. She then created the Department's Office of Equity and Inclusion in 2018. She is nationally known for her bold, passionate advocacy for racial justice in and across child-serving public systems, and has a unique depth of expertise to help system practitioners achieve racially equitable and inclusive systems through transformative practice and accountability to the communities and populations that they serve. Lisa has an extensive national and state work portfolio, including having previously served as Policy Director with the Center for Children's Law and Policy (CCLP) in Washington, DC. Her approach to eliminating racially disparate policies and outcomes in the juvenile justice system has been recognized by the MacArthur Foundation, the Annie E. Casey Foundation, and the Coalition of Juvenile Justice with the awarding of the 2012 Champion of Change Award, the 2017 JDAI Distinguished System Leadership Award, and the 2022 A.J. Carlisle Child Advocacy Award respectively.

Facilities assessment by national experts

A full assessment by national experts of DJS' detained and committed placement facilities has started, with assessment visits beginning in May and scheduled to be completed in July. A report with recommendations is expected later this summer or early fall. The assessment is being conducted through a partnership with OJJDP and the Council of Juvenile Justice Administrators (CJJA).

Beginning implementation of the Comprehensive Treatment Model (CTM)

DJS is on track for the implementation of the CTM on July 1, 2023, with training on-going for the treatment program staff. The CTM uses Dialectical Behavior Therapy (DBT) as the foundational

treatment framework, incorporates principles of Positive Youth Development (PYD) and trauma informed care. The focus is to align a youth's recommended treatment hours, including while in detention awaiting placement, with the youth's risk for recidivism and treatment needs. The model also takes into account the youth's unique strengths and challenges when creating an individualized treatment plan. The treatment program will continue to promote partnerships with the youth, family, and other stakeholders to support youth's treatment progress. Additionally, there are 12 policies that are being updated and newly written to support the new model. Youth who are pending placement in detention will start to receive weekly individual sessions and therapeutic services from identified Behavioral Health staff starting June 26, 2023, which will reduce the feeling of so-called "dead time" by youth, occupy our young people more productively, and reduce time pending placement.

Education by subject matter in classrooms

JSEP is continuing to work with Residential Services staff to provide education by subject matter and grade level in DJS facilities, rather than by living unit. This is helping to improve the educational experience of young people in DJS care, who are able to gain greater understanding of their subjects when being taught in a single-subject focused classroom (like they would in a school in the community), as opposed to a "one-room schoolhouse" where youth of various different grade levels are in the same room.

Enhanced summer activities

In celebration of Mother's and Father's Day, families gathered across the state to participate in family engagement activities which included creating artwork for families to take home, dances and family style brunch and dinners with a mix of arts and games. For Mother's Day approximately 144 youth and 234 families participated, with 58 youth and 83 families participating Father's Day activities statewide (the Father's Day numbers were reduced due to some Covid-19 related quarantine challenges).

CHAMPS (Changing Habits and Making Progressive Strides) Athletic Intramural Competitions was reinstated May 10, 2023, which provides youth with opportunities to travel to other facilities to compete on facility athletic teams such as softball, volleyball, track and field, basketball, bowling, pickleball, and soccer. The youth will continue to participate in statewide intellectual challenges such as statewide spelling bees, math bowls, oratorical contests, chess clubs, and more.

The youth in the treatment programs have participated in several community engagement opportunities, including DJS' Reflections program. Reflections offers adventure sports such as high and low rope courses, biking, rock climbing, hiking to Swallow Falls, canoeing, and fishing.

On April 28, 2023, the youth at Victor Cullen Center (VCC) went to Carroll Street Park to participate in a beautification event with DNR and the Thurmont Green team. The next off grounds outing for VCC will

take place by the end of June at the Catoctin Wildlife Preserve where youth will learn about exotic animals and enjoy a safari ride. Both the female and male population will participate.

In May, the youth centers had a robust weekly schedule of outings in the community including fishing and canoeing at the Rocky Gap State Park and Broadford Lakes, a visit to the Naval Academy in Annapolis, an adventure at Swallow Falls to observe the highest waterfalls in Maryland and a trip to the movies.

At the beginning of June, the youth from GRYC and BMYC participated in a bowling league at the White Oaks Bowling Lanes in Cumberland. A track and field event is planned for the detention facilities on June 28, 2023 at the Cheltenham Youth Detention Center (CYDC).

Reducing vacancy rate for Residential Advisors and forced overtime for residential staff

DJS' vacancy rate for Resident Advisors continues to decline, to less than half what it was in January, dropping from over 18% in January to under 9% in June and expected to be down to 6.5% by July 1st. This should help bring down forced overtime and improve morale and staffing levels. While these reductions demonstrate progress, *DJS sick call rate has more than doubled*. On average, DJS has had more than twice as many RAs out sick this year than at the same time in 2019. The Secretary recently sent a letter home to Residential Services staff urging everyone who is feeling better but who is still out sick to return to work so DJS' facilities run better with rested staff. This will mean residential staff can have a better work/life balance and not work so much forced overtime. The Facility Superintendents and Residential Services Management have initiated a competition to encourage each facility to reduce sick-time usage.

Taking care of Victor Cullen staff working excessive OT

Sick time utilization and forced overtime is especially taxing at Victor Cullen (VC), where two-thirds of staff called in sick at some point over the last three months. During the Secretary's listening tour at VC, staff communicated how many of them are in jeopardy of getting into accidents on their drives home because they're so exhausted and how forced OT is contributing to low morale (which is, in turn, cyclically contributing to excessive sick leave). VC staff asked for something as basic as a decent place to sleep, get changed, shower, or just take a break. The Secretary acted immediately, facilitating a process whereby front line staff selected one of the buildings outside the fence at VC to refurbish, clean-up, and put beds and other furnishings in, which should be completed over the next two months. This is a short term solution while the work continues to reduce overtime and excessive use of sick leave, which hopefully will obviate the need for staff to sleep near the facility.

Youth Employment Program

The youth and staff were surveyed and the new name for the paid youth work/educational program will be YOLO- Youth Opportunities to Learn Occupations, which was submitted by a GRYC youth. The policy is in the final stages and DJS plans to restart the program in mid July 2023.

Freedom Reads

Freedom Reads, an organization that donates books and creates libraries in housing units in juvenile and adult correctional facilities across the US launched its partnership with DJS in June with installation of bookshelves on ten living units and the infirmary at BCJJC. Youth have daily unimpeded access to take the books in their rooms for leisure time reading. Freedom Reads will be installing libraries on living units in all of DJS' remaining facilities, with additional installations starting in September.

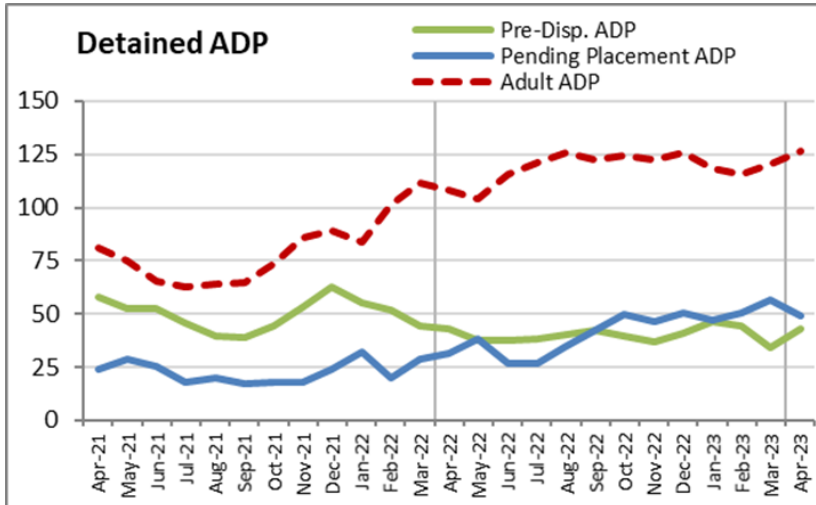
It is important to note, however, that while DJS believes the actions described above are steps that begin to address concerns raised by the JJMU, the larger and likely longer work ahead will involve continuing work to achieve significant culture change throughout the agency and in its facilities. This work will build on efforts in the past to shift from a corrections mindset to an approach grounded in the principles of positive youth development, recognizing that the agency has not made nearly as much progress in this area as is necessary to achieve the goals of Governor Moore and the Department's new leadership. In DJS-operated facilities, this will include things like keeping youth productively occupied, receiving excellent educational programming, having their needs met in developmentally appropriate ways, and being viewed by staff and themselves as young people of promise and value.

Finally, and as noted in DJS' response to the most recent JJMU report, DJS leadership believes there's one tried and true method for assessing progress in working with youth and families in the justice system – the “my kid” test – which will be the agency's bedrock metric moving forward. DJS will continue to ask if what we are doing in the Department's facilities and in the community with other people's children would be good enough for our own kids, and if so then it's good enough for the children in our care. But unless and until it's good enough for our own children who we love and care about, it's not good enough for the children in the Department's care—each and every one of whom is, after all, someone's child.

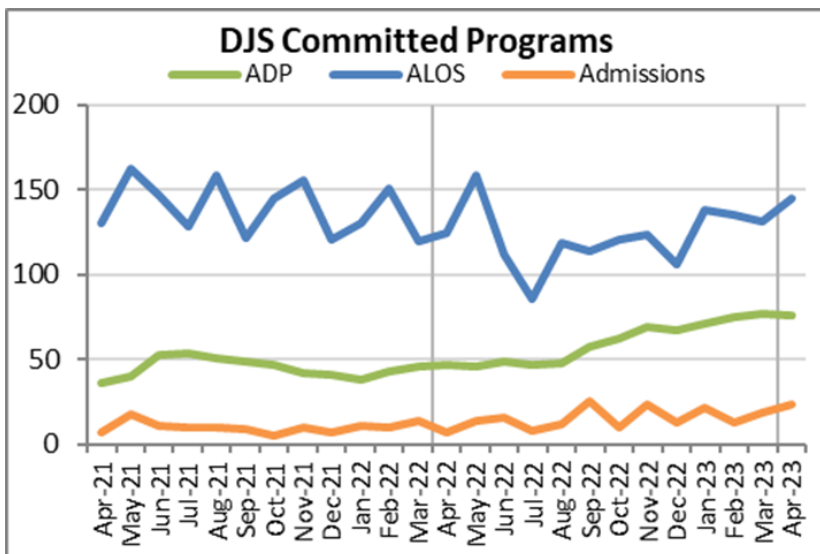
More detailed responses to specific issues raised in the JJMU First Quarter report are provided overleaf.

Increases in the populations of confined youth

DJS acknowledges and is also concerned about increases in the confined population noted by JJMU. A summary of the population data shows the following:



By examining the last two years of data, it is evident that the rise in the overall detention Average Daily Population (ADP) is being driven by the increase in the adult hold and pending placement ADPs. Between April 2021 and April 2023, ADP for the adult hold population increased 56.8% and ADP for the pending placement population increased 104.2%. During this same time period, ADP for the pre-disposition population decreased by 25.9%.



The population of youth committed to treatment in DJS-operated programs has risen somewhat since last summer. ADP is trending higher due to an increase in admissions in FY2023, and a rise in lengths of stay (LOS), although it should be noted that LOS had dropped significantly in June and July 2022, and has slowly risen back to the average level during the previous year.

Towards this end DJS is focused on a number of broad strategies to reduce the number of youth in any kind of out-of-home placement, including DJS commitment facilities.

Reducing the length of stay for youth who are committed can lower the overall average daily population in facilities, which will help to reduce strains on staffing and improve safety. New Pending Placement units in DJS detention centers will allow committed youth to begin their treatment right away, rather than spending “dead time” while waiting for a bed to open up. This way, youth will begin to accrue their treatment dosage while in detention, shortening their stays in placement. Also, under the new CTM policy, behavioral incidents do not negatively impact a young person’s trajectory towards release. Previously, success in the program was determined by the youth’s progression through a level-based behavior management system, and a behavioral incident could send a young person back to square one, despite whatever progress they may have previously made through the program. Moving forward, the behavior will be addressed through accountability mechanisms without forcing the youth to start over. DJS is also exploring an incentive-based approach developed by the Illinois Department of Juvenile Justice, where youth can earn early release by achieving a variety of benchmarks, from attending treatment programs to graduating from high school. And finally, DJS staff also regularly review youth who have been in placement longer than 120 days to determine if they should be recommended for release.

DJS also seeks to reduce the number of youth who are being committed to DJS custody in lieu of receiving a community disposition with appropriate services. There are many factors that contribute to the number of youth that receive a disposition for commitment including intake decision-making, the availability - or lack thereof - of community-based interventions, the quality and content of treatment plans and/or community case plans, persuasive advocacy in court, and effective case management. DJS is planning to evaluate and make improvements in all of these areas under the strong leadership of the newly appointed Deputy Secretary for Community Services, Lisa Garry. Additionally, DJS has applied for the 2023 *Re-Imagining Juvenile Justice (RJJ) Train the Trainer (T4T) Institute*, a professional development program developed for state and local agencies serving youth involved in the justice system. RJJ takes a positive youth development approach, which focuses on building services around strengths, interests, and other positive aspects of a young person’s life. This will complement the Roca Rewire cognitive behavioral therapy (CBT) training, which has been completed by approximately half of DJS community

services staff. All community staff will be trained in this cognitive-behavioral approach for frontline staff by the end of this year.

Reducing the number of youth in secure detention is also a critical step in addressing committed populations. Youth who are detained pre-disposition are more likely to be committed and to be placed in a more secure setting post-disposition.¹⁹ Secure detention also increases the likelihood of felony recidivism, which impacts public safety and could ultimately result in commitment in staff secure or hardware secure placements.²⁰ DJS conducts weekly detention reviews and is working to improve the development of, and advocacy for, community release plans, which are submitted to the court within the first ten days of detention and every 14 days thereafter. DJS is also in the process of re-convening the Baltimore City Juvenile Detention Alternatives Initiative (JDAI) collaborative and is exploring launching JDAI in a second jurisdiction.

To support all of these efforts, DJS has applied for a grant from OJJDP. If selected, DJS will receive \$1 million over three years, along with technical assistance from the National Institute for Criminal Justice Reform (NICJR), to reduce the number of youth in custody and increase investments in community-based services. OJJDP is reviewing proposals now and will notify applicants about grant awards in late Summer or early Fall 2023. In the meantime, NICJR is providing technical assistance to applicants who request it, which DJS has done.

In the near term, DJS has not waited to implement strategies to impact the confined population. For example, the pending placement population has been cut by one-third. Staff, young people, families, judges, prosecutors, and defense attorneys have all expressed concerns about how long young people have to wait from when they are ordered into placement vs. when they actually get there. It's frustrating, "dead time" for youth; contributes to behavior problems in both detention and placement facilities; and puts DJS community staff in a difficult position in court. Based on feedback DJS received from its own staff and other stakeholders, a DJS pending placement workgroup was formed about two months ago. When the pending placement group started its work there were 51 youth pending placement; the pending placement population was down to 33 as of June 23rd.²¹

Girls in DJS care

¹⁹ Dangers of Detention: https://justicepolicy.org/wp-content/uploads/2022/02/06-11_rep_dangersofdetention_jj.pdf

²⁰ The Impact of Pretrial Juvenile Detention on 12-Month Recidivism: A Matched Comparison Study: <https://journals.sagepub.com/doi/10.1177/001128720926115>

²¹ Current vacancies at Backbone Mountain Youth Center will be filled once the Covid-19 related quarantine is lifted there, further reducing the pending placement population.

The Department agrees and acknowledges that the current residential placement options for girls in custody are unacceptable and that DJS currently is not yet providing the type of meaningful treatment or care for this vulnerable population that it believes is needed.

As of June 1, 2023, there were only 13 girls in secure detention and 4 girls in a state commitment facility (Victor Cullen). Since FY 2021, ADP has declined for females in committed treatment programs and in detention (see table below.) Comparing FY 2022 to FY 2023 year-to-date, ADP remains low and is lower in the committed population than it was in FY 2022.

	FY2021	FY2022	FY2023**
Female Committed ADP	17.9	11.8	10.5
Female Detention ADP*	17.3	10.4	10.5

*Detention data include Pre-D, Pending Placements and Adult Detention.

**FY2023 numbers are for partial FY during July 2022 and May 2023; however, the data are fully comparable to previous FY since they are based on daily average.

With such a small confined population, DJS does not believe it makes sense to invest a large amount of resources into correctional facilities dedicated to girls, yet the needs of these young women are currently not being met by simply finding space for them in DJS’ facilities as currently operated. Furthermore, as stated in the JJMU report, “Institutional and corrections-oriented environments such as Cullen are counterproductive to healthy adolescent development as they prevent young people from experiencing normalizing experiences which promote positive youth outcomes.” The answer is not simply to provide dedicated space and gender-specific treatment, although those things are important. It is the institutional model itself that is failing these young women. DJS does not intend to rush into finding correctional space to house girls, hoping it’s better than the last option (as the Department appears unfortunately to have done in the past). Instead, DJS will work to invest in robust, community-based gender-specific resources for the small number of female youth that require a higher level of security and intensive interventions.

To accomplish this ambitious goal, a girls’ working group has been created to identify and implement solutions. This work is still in the very early stages, but it is a priority for the Secretary. The workgroup will look at data trends over time and best practices for girls nationally, and will conduct case file reviews to identify what kinds of services and supports the Department needs to effectively serve our female population.

In addition to the Girls' Workgroup, as mentioned above, DJS has applied for a grant from OJJDP to support these efforts. In addition to grant funds that may be used for new or expanded community-based services, the grant also includes technical assistance from the National Institute of Criminal Justice Reform (NICJR) over the course of the three year grant period. Addressing the lack of services for girls was highlighted in the application as a key area the Department plans to address. However, the girls' workgroup is beginning its work immediately, and will continue regardless of whether or not the Department is awarded the grant.

Some solutions will take time. Unfortunately, 50% (9 out of 18) of the girls held in secure detention on June 22, 2023, are being tried as adults, and are not under DJS's jurisdiction. It is critical that the state end the automatic charging of youth in adult court, so that DJS can provide services to appropriate girls in the community pre-adjudication. Additionally, since none of the current residential options operated by the Department are suitable for this small and unique population, DJS will need to engage in a process to identify and implement an appropriate solution for the very small number of girls who may need residential services at some point.

In the meantime, and while this larger piece of work is going on, DJS is working hard to address concerns related to the needs of girls at the Cheltenham Youth Detention Center (CYDS) and Victor Cullen (VC).

Specifically, for the girls detained at CYDC DJS acknowledges the following challenges:

- Having a single unit for the female population can create a challenge when there is a need to separate youth who are having conflicts;
- Lack of adequate programming;
- Inadequate gender-specific training for staff
- Staffing challenges

To address these challenges DJS is taking the following steps:

- The CYDC leadership team is providing ongoing mediation between youth to minimize youth conflicts;
- The CYDC leadership team has increased contact with staff to check in to show support for staff;
- The CYDC leadership team is making daily rounds to speak to the female population to address any issues or concerns;
- Facility case managers are providing more support through increased contact and ensuring the Youth Support Team Meetings are taking place;
- Identifying locations to separate youth who need cooling off time;

- Enhancements to the physical plant to create a more therapeutic setting such as ordering more normalized furniture, decorating with colorful posters and adding chalk paint to youths' rooms so they can create their own art;
- Providing more training to staff working with the female population;
- Making extensive efforts to keep the staff who formerly worked with girls at Noyes assigned to the female population at CYDC;
- Identifying gender specific and other health and wellness programming such as Girls Circle and training staff to facilitate groups;
- Continuing to work with the medical unit to provide health education around self-care and living a healthy lifestyle and provide educational videos for youth;
- Increasing groups conducted by Behavioral Health staff;
- Implementing a cosmetology program per youth suggestions;
- Working with staff who have special talents such as Yoga who can provide staff led programming to youth on a consistent basis;
- Implemented art therapy and mindfulness groups;
- Increased family engagement events to monthly;
- Updated inventory on female hair and hygiene products to meet the needs of the female population.

DJS also appreciates that JJMU acknowledged recent progress at CYDC under new leadership assigned to the facility as of March 2023, including that as of May 2023 “conditions at Cheltenham have vastly improved under the capable and effective leadership of the acting superintendent who is diligently working to stabilize facility culture and improve safety and programming.” Areas of progress cited by JJMU include:

- Reductions in incidents of violence
- An emphasis on staff training and mentorship (which is especially important as many direct-care staff at Cheltenham have less than two years of experience). Training efforts are being focused on key areas such as safety and security, de-escalation, and conflict resolution.
- A more effective incident review process to increase staff accountability and identify areas in need of improvement.
- An increase in the amount and consistency of programming offered to youth. Recently introduced activities popular with youth include bike riding, gardening, t-shirt making, a Mother's Day dance, a youth art show, and a residential unit of the week incentive program.
- A decreased reliance on social separation and an emphasis on staff awareness of intra-youth dynamics and proactive early intervention measures to address potential youth conflict.
- A prioritization of consistent school attendance for students at Cheltenham.

That said, JJMU raised appropriate concerns regarding excessive staff overtime contributing to high levels of stress for staff as well as staff attrition.

DJS is committed to maintaining and building on the progress made under the acting superintendent, as well as taking steps to reduce overtime and staff attrition.

Specifically for girls held at VC, DJS acknowledges challenges with working with the female population, including the following:

- Having a single unit for the female population can create a challenge when there is a need to separate youth who are having conflicts;
- Lack of adequate programming;
- Inadequate gender-specific training for staff; and
- Staffing challenges

To address these challenges DJS is taking the following steps:

- The Superintendent and Assistant Superintendent from Garrett Children’s Center have been reassigned to provide specific oversight of the female population;
- A new case manager was hired and assigned to the female population;
- A new executive director overseeing committed services will be present at VC weekly;
- The new Deputy Secretary of Residential Services has also increased oversight and will be at VC frequently;
- Increased activities through recreation and staff led programming such as beauty hour, volleyball and tie dye clothing and accessories, all of which are activities the girls suggested;
- Developing a schedule for community outings for June 2023. CHAMPS reinstated, which also increases the activities offered;
- Enhanced efforts to recruit and hire staff more efficiently; and
- Making extensive efforts to keep consistent staffing on the female unit.

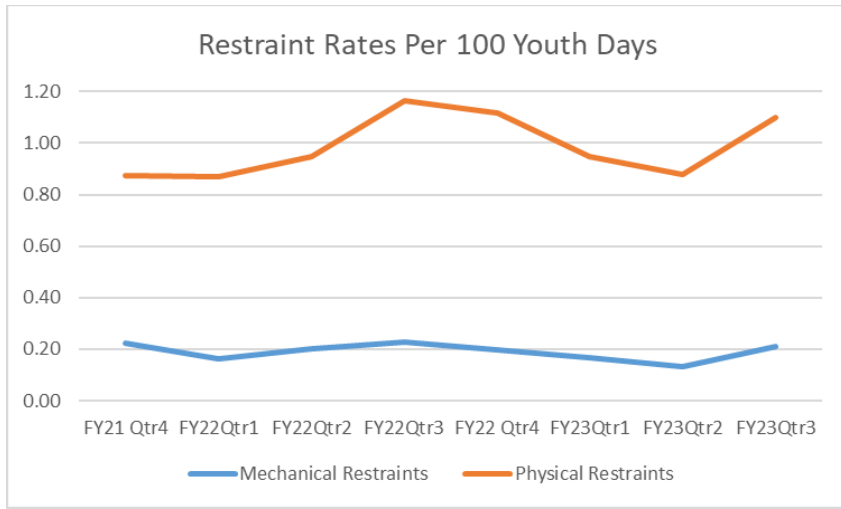
Tracking of critical incidents

In an examination of incident rates, it is important to look over time but to also focus on the two most recent quarters since populations can change dramatically within the span of longer time periods. By examining both, it is possible to see issues that remain despite population changes and also to pinpoint areas of more recent concern or success.

The table on the next page presents the past two quarters of data showing incident counts and rates for detention facilities, committed treatment programs, total state-operated programs, and a breakdown by facility. Discussions of the past two years are added below to present a more complete picture of incidents. Calculating the rate of incidents per 100 youth days is a standard method of measuring a rate of incidents, which allows meaningful comparison between facilities of different populations, and changes to a facility population over time.

Incident Count/Rate	Mechanical Restraints		Physical Restraints		Seclusions		Youth Fights		Yth on Yth Assaults	
	FY23Qtr2	FY23Qtr3	FY23Qtr2	FY23Qtr3	FY23Qtr2	FY23Qtr3	FY23Qtr2	FY23Qtr3	FY23Qtr2	FY23Qtr3
Detention										
Baltimore City Juvenile Justice Center	7	13	37	47	6	5	1	5	35	51
<i>Rate Per 100 Youth Days</i>	<i>0.04</i>	<i>0.07</i>	<i>0.19</i>	<i>0.25</i>	<i>0.03</i>	<i>0.03</i>	<i>0.01</i>	<i>0.03</i>	<i>0.18</i>	<i>0.27</i>
Charles H. Hickey Jr. School	6	10	41	72	11	14	11	13	27	41
<i>Rate Per 100 Youth Days</i>	<i>0.03</i>	<i>0.05</i>	<i>0.21</i>	<i>0.38</i>	<i>0.06</i>	<i>0.07</i>	<i>0.06</i>	<i>0.07</i>	<i>0.14</i>	<i>0.22</i>
Cheltenham Youth Detention Center	2	14	35	68	8	22	7	13	28	38
<i>Rate Per 100 Youth Days</i>	<i>0.01</i>	<i>0.07</i>	<i>0.18</i>	<i>0.36</i>	<i>0.04</i>	<i>0.12</i>	<i>0.04</i>	<i>0.07</i>	<i>0.15</i>	<i>0.20</i>
Lower Eastern Shore Children's Center	0	0	53	26	11	1	6	2	9	3
<i>Rate Per 100 Youth Days</i>	<i>0.00</i>	<i>0.00</i>	<i>0.28</i>	<i>0.14</i>	<i>0.06</i>	<i>0.01</i>	<i>0.03</i>	<i>0.01</i>	<i>0.05</i>	<i>0.02</i>
Western Maryland Children's Center	9	14	35	31	4	12	6	1	5	3
<i>Rate Per 100 Youth Days</i>	<i>0.05</i>	<i>0.07</i>	<i>0.18</i>	<i>0.16</i>	<i>0.02</i>	<i>0.06</i>	<i>0.03</i>	<i>0.01</i>	<i>0.03</i>	<i>0.02</i>
Total Detention Incident Count	24	51	201	244	40	54	31	34	104	136
Total Detention Rate Per 100 Yth Days	0.13	0.27	1.05	1.28	0.21	0.28	0.16	0.18	0.54	0.72
Committed Programs										
Backbone Mountain Youth Center	10	6	27	35	0	0	4	5	6	3
<i>Rate Per 100 Youth Days</i>	<i>0.08</i>	<i>0.05</i>	<i>0.22</i>	<i>0.27</i>	<i>0.00</i>	<i>0.00</i>	<i>0.03</i>	<i>0.04</i>	<i>0.05</i>	<i>0.02</i>
Green Ridge Youth Center	4	7	36	56	0	0	4	6	2	6
<i>Rate Per 100 Youth Days</i>	<i>0.03</i>	<i>0.05</i>	<i>0.30</i>	<i>0.43</i>	<i>0.00</i>	<i>0.00</i>	<i>0.03</i>	<i>0.05</i>	<i>0.02</i>	<i>0.05</i>
Victor Cullen Center	3	3	9	18	0	2	5	5	1	5
<i>Rate Per 100 Youth Days</i>	<i>0.02</i>	<i>0.02</i>	<i>0.07</i>	<i>0.14</i>	<i>0.00</i>	<i>0.02</i>	<i>0.04</i>	<i>0.04</i>	<i>0.01</i>	<i>0.04</i>
Total Committed Incident Count	17	16	72	109	0	2	13	16	9	14
Total Committed Rate Per 100 Yth Days	0.14	0.12	0.59	0.83	0	0.02	0.11	0.12	0.07	0.11
Total State-Operated (Detention & Committed)										
Total State-Operated Incident Count	41	67	273	353	40	56	44	50	113	150
State-Operated Rate Per 100 Yth Days	0.13	0.21	0.87	1.1	0.13	0.17	0.14	0.16	0.36	0.47

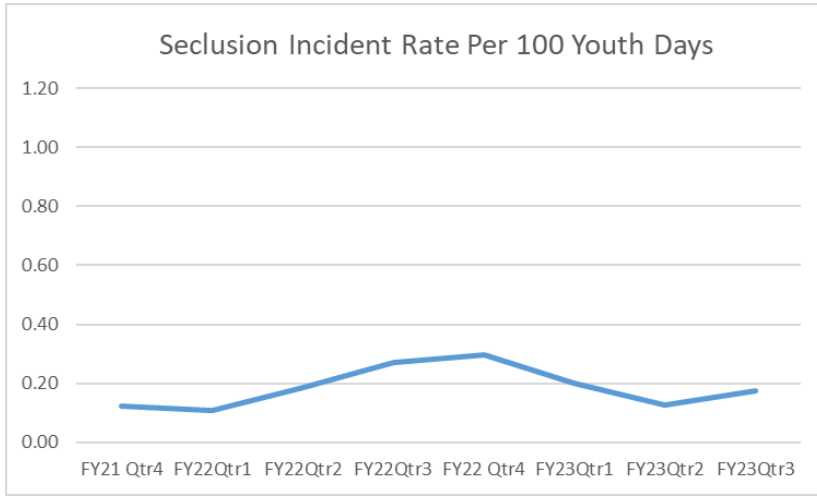
Restraints:



Looking over the longer term of two years for restraints in the graph above, mechanical restraints are consistently less common than physical restraints and the rates have varied very little over time when rates are used. Differences emerge when looking at detention and committed treatment programs independently especially over the last two quarters. During the last two quarters, rates of mechanical

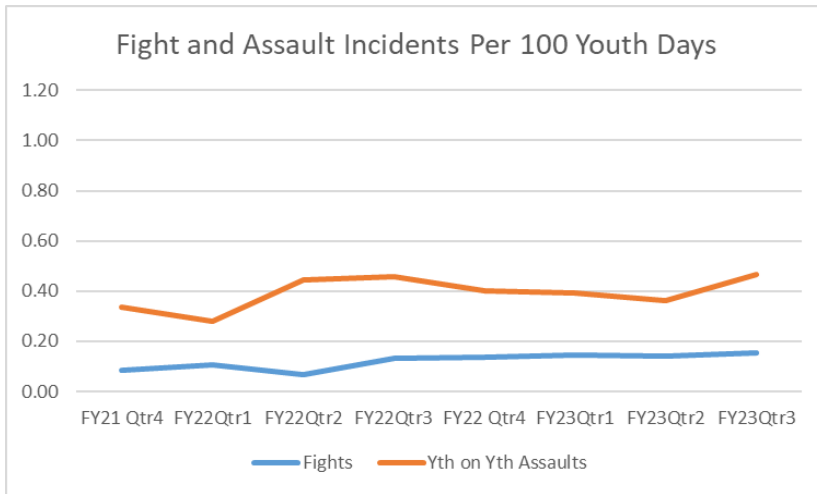
restraints have increased in detention but decreased in committed treatment programs. Regarding physical restraints during the same time period, DJS is seeing sizable increases in both detention facilities and committed treatment programs with the exception of decreases seen at LESC and WMCC.

Seclusion:



The use of seclusion is far less common overall and has been relatively flat over the past two years. Any slight increases are attributable to a few detention facilities. In committed treatment programs, there were only 2 reported seclusions in the last two quarters in total.

Fights and Youth-on-Youth Assaults:



Over the last two years, incidents of fighting and assaults have increased slightly but the rate of fight incidents is consistently lower than the rate of assaults. It is important to note that over the last two

quarters, incidents of fights have remained relatively stable overall while youth on youth assaults have increased a bit. Increases in youth-on-youth assault incidents were noted at Hickey, CYDC, and BCJJC while the rate of these incidents decreased at LESCC, WMCC, and Backbone Mountain Youth Center.

DJS plans to institute an incident tracking and quality assurance approach to more effectively monitor and respond to critical incidents over time.

DJS internal Quality Assurance activities

DJS' OIG QA unit has reviewed the latest JJMU Quarterly report. The OIG QA Audit Team conducts Annual and Corrective Action Plan reviews on an annual basis. When reviewing Incident Reports, QA reviews a random sample of Incidents. Areas measured within the reports consist of but are not limited to, timeline of completion, administrative review, notifications, preservation of evidence, staff CPM training, use of mechanical restraints, notifications and assessments to Medical and Behavioral Health, and seclusion within the report.

For the 1st quarter of 2023, QA finds that the facilities meet standards with completing and submitting reports. QA finds that notifications are completed, but where some facilities fall short occurs in meeting policy timelines of notifications. In addition, QA has found that some staff involved in Physical Restraints have not met their required CPM refresher training. Where deficiencies are noted in QA reviews and Corrective Action reviews, the facility leadership is notified and a Corrective Action Plan is developed. All reports are reviewed with the Executive Team on a quarterly basis.

In addition, all QA reviews and Corrective Action reviews are presented in detail to the Executive Team and facility administration during Quarterly Audit Review meetings. Any areas found deficient or needing improvement are discussed at length and a plan of action put in place to address deficiencies. The Quality Assurance Unit then returns to the facility within an accepted time period to conduct CAP Audits to assure that the deficient areas are being addressed. In addition, any areas of concern such as training, that involve units outside of the facility team, are communicated with the appropriate unit so that related areas can be improved or developed.

OIG also reports through its Youth Advocacy Unit that the grievances indicated in the JJMU report accurately reflect the youths' complaints as received by the Youth Advocacy Unit.

Specifically, youth at Backbone Mountain Youth Center as well as other DJS facilities have submitted grievances about the food served at the DJS facilities. Grievances related to food services are forwarded to and addressed by facility food service staff.

Youth Advocates also advise youth to complete food satisfaction surveys, which are administered bi-annually by Food Services, and to return any food youth have a concern with. Youth are provided a replacement meal or alternative meal. The Advocate Unit has been advised that the next food

satisfaction survey for all DJS facilities is scheduled for June 2023. In addition, the Youth Advocacy Unit forwards all resolved food services grievances to the Food Service Administrator for additional review.

OIG's Investigations Unit reports that all incidents/investigations indicated in the JJMU report are consistent with OIG investigations.

Juvenile Services Education Program (JSEP) Updates

As the operation of the DJS residential program schools by JSEP is about to reach its one year mark, JSEP continues to work toward the goal of providing a world-class education to all students. Local school districts across the state are struggling to recruit and retain qualified teaching staff due to the lack of qualified and certified candidates. At the time of this writing, all headquarter staff positions have been filled. JSEP is working with DJS to address the ongoing education staff shortages in high need areas, both in terms of positions and locations. Recruiting steps will include an enhanced social media presence, advertising strategies, and financial incentives. Efforts will also focus on retaining current educational staff. Retention bonuses are provided in most public education settings, and the proposed bonuses will allow JSEP teachers to receive compensation that is more closely aligned with local education agencies.

JSEP has greatly increased students' access to reading materials but is still looking forward to revamping the school libraries in order to make the collections more robust, diverse and accessible. Curricula in all areas - math, science, social studies, English, and CTE - continue to be developed and improved.

JSEP Schools continue to personalize celebration of our students' achievements. They provide students with full graduation regalia and commencement speakers are often part of the ceremonies. Graduation ceremonies are often streamed to include family and other DJS and JSEP staff. While the goal is always to make a celebration as big as possible, circumstances such as student release dates often require a quick turnaround.

The young women at Cheltenham and Victor Cullen were fully integrated into the school schedule. JSEP ordered and provided resources and library materials that are tailored to the needs, requests, or preferences of the female population.

In addition to the options listed for post-secondary students, JSEP is working to expand the list of community colleges and programs available to those students both while they are detained and once they are released. JSEP's newly acquired CTE coordinator continues to develop community relationships as well as enhanced vocational options (such as virtual reality programs that led to industry certificates) for the post-secondary students. JSEP is committed to providing every post-secondary student with a soft landing when released.

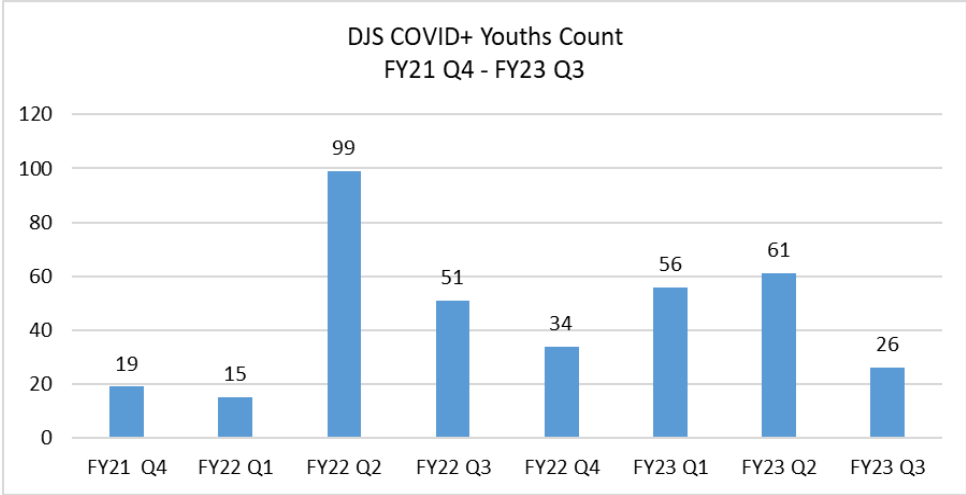
The education staff at the Garrett Children’s Center is vital to JSEP. Due to teacher shortages across the system, many students’ access to highly qualified teachers in acute need subjects is through the virtual courses taught by the certified educators at Garrett. The advantage of this approach is that students benefit from having a qualified course instructor, instead of a teacher who might lack the necessary subject matter and expertise to engage students in learning deeply about the content.

JSEP is currently working with DJS to plan and implement instruction and supervision for student extracurricular activities in detention and treatment programs. Research finds that after-school programs provide measurable benefits for students. For many middle and upper-class children, the after-school hours are filled with sports, creative play, dance, theater, tutoring, and other extracurricular activities. An opportunity gap exists for students in juvenile detention and treatment programs to participate in specialized clubs and programs. JSEP will fill this gap and connect students to opportunities as they transition from the facilities to the community.

JSEP is committed to working to provide the best educational experience for the students within our system.

COVID-19 in DJS residential facilities

As shown in the chart below, the number of youth in DJS facilities who tested positive for COVID-19 peaked in the second quarter of FY22 (October-December 2021) at 99. This time period was a peak time for the less serious, but more contagious, Omicron variant of the virus. Since that period, the number of youth testing positive for COVID-19 has declined by more than two-thirds.



The table below breaks down the number of youth who tested positive for COVID-19 between the fourth quarter of FY22 and the third quarter of FY23. The facilities that reported the most cases during this period were BCJJC and Hickey, which also had the largest populations.

Facility	FY22Q4	FY23Q1	FY23Q2	FY23Q3
Baltimore City Juvenile Justice Center	6	20	21	4
Cheltenham Youth Detention Center	2	1	4	9
Hickey School	13	3	23	1
Lower Eastern Shore Children's Center	0	2	5	4
Noyes Center	0	1	0	0
Western Maryland Children's Center	5	5	0	1
Backbone Youth Center	0	14	2	3
Green Ridge Youth Center	8	5	3	2
Victor Cullen Center	0	5	3	2

With the end of the public health emergency, the Department of Juvenile Services (DJS) in consultation with the Maryland Department of Health and the CDC aligned current practices to the guidance of our consulting partners, lifted the mask mandate for all staff working in DJS residential facilities. Facility Administration will continue to make masks available in all areas for individuals that wish to continue to wear a mask while in DJS residential facilities. Our current masking requirement limits masking to areas under quarantine and isolation. DJS has been striving to mitigate the spread and exposure of respiratory viruses and illnesses, including COVID-19, among its staff and youth population.

Following the most recent guidance from the CDC on the management of COVID-19 in Correctional and Detention Facilities, the Department's clinical team considers COVID-19 hospital admission level in combination with facility-level information (e.g., recent transmission inside the facility, the population's risk for severe outcomes from COVID-19, and facility characteristics that could accelerate spread) to determine when to add and remove COVID-19 prevention strategies.

Additionally, DJS has adopted a new cadence of testing that includes the increased use of point-of-care rapid antigen testing for symptomatic and exposed persons, and continuing to use youth PCR testing for confirmation, ensuring prompt and efficacious care. DJS has also stressed the importance of medical isolation for individuals testing positive for COVID-19 or any other highly contagious virus in congregate, correctional, and hospital settings. In line with CDC recommendations, DJS has reduced the quarantine period from 14 days to 10 days for units/individuals exposed to a COVID-19 positive or suspected COVID-19 positive individual.

Testing and retesting for COVID-19 will continue for youth who test positive, and the absence or improvement of symptoms and negative testing will be used to end the isolation period of at least seven days. Moreover, licensed medical professionals and behavioral health professionals will assess and check on youth in medical isolation or quarantine units daily and at frequent intervals.