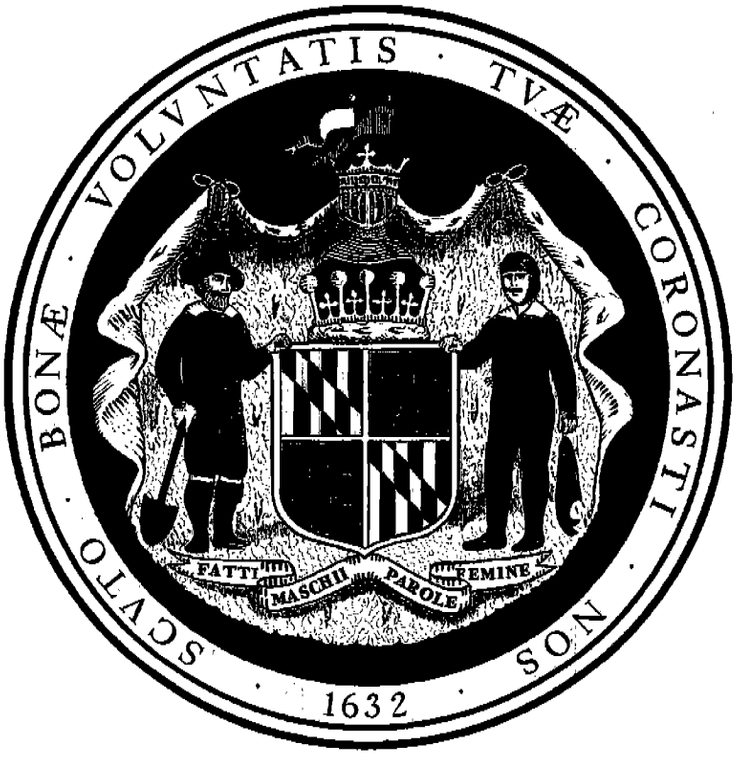
QUARTERLY REPORT

OCTOBER 1, 2002 – DECEMBER 31, 2002

INDEPENDENT JUVENILE JUSTICE MONITOR



Parris N. Glendening – Governor
Kathleen Kennedy Townsend – Lt. Governor
Bonnie A. Kirkland – Special Secretary,
Governor's Office For Children, Youth & Families

State of Maryland □ Executive Department
GOVERNOR'S OFFICE FOR CHILDREN, YOUTH, AND FAMILIES

Placing The Needs Of Children & FAMILIES FIRST

PARRIS N. GLENDENING
Governor

KATHLEEN KENNEDY TOWNSEND
Lieutenant Governor

BONNIE A. KIRKLAND, Special Secretary
Children, Youth, and Families

MEMORANDUM

TO: Special Secretary Bonnie A. Kirkland, Governor's Office for Children, Youth, and Families; Secretary Bishop L. Robinson, Department of Juvenile Justice

FROM: Ralph B. Thomas, Executive Director, Office of the Independent Juvenile Justice Monitor RBT

SUBJECT: Quarterly Report – Office of the Independent Juvenile Justice Monitor

DATE: December 31, 2002

I am pleased to present the first quarterly report of the Office of the Independent Juvenile Justice Monitor.

As required by House Bill 971 and codified into Article 49D, Office for Children, Youth, and Families of the Annotated Code of Maryland, Section 45(b)(2), the Office of the Independent Juvenile Justice Monitor "...shall report quarterly to the Special Secretary and the Secretary. A copy of the report shall be provided to the State Advisory Board for Juvenile Justice and, in accordance with Section 2-1246 of the State Government Article, the General Assembly. The report shall include: all activities of the Office; actions taken by the Department in response to resulting from the findings and recommendations of the Independent Monitor, including the Department's response; and a summary of any violations of the standards and regulations of the Department that remained unabated for 30 days or more during the reporting period."

This first quarterly report covers the time period from October 1, 2002 to December 31, 2002. Therefore, it does not include reference to any standards and regulations that may have remained unabated for 30 days or more during the reporting period as sufficient time has not elapsed to document any such matters. However, subsequent quarterly reports will include reference to any unabated standards and regulations for more than 30 days that may be present since the issuance of this first report.

I hope that this report serves to provide a concise summary of this Office's activities, findings, and recommendations. The Department's responses to our findings and recommendations are also included, as required. I look forward to continuing to work with you in ensuring that the matters highlighted in this report are acted upon, ensuring that quality programs and services are offered to Maryland's youth.

CC: General Assembly
State Juvenile Justice Advisory Board

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MONITORS' ASSESSMENT OF FACILITIES AND THE DEPARTMENT OF JUVENILE JUSTICE RESPONSE

The **Allegany County Girls Group Home** is operated by the YMMC on property that is owned by DJJ. ACGGH accommodates up to 9 girls, who stay in the program for an average about 9 months. The program has undergone and continues to undergo positive changes to enhance programming for the girls. A "Healthy Home" model of treatment intervention is being developed. This model includes the use of community resources for schooling, health, mental health services and recreation.

- The physical plant at ACGGH is owned by DJJ and is in need of changes and upgrades. Though some issues have been attended to, such as a new heating plant, there is no staff bathroom and one bedroom is adjacent to the office, making confidentiality difficult to maintain. The kitchen is in need of new cupboards. The wall air conditioning units should be replaced by the installation of central air. The entire exterior should be repainted.

  Response: DJJ is soliciting bids for partitioning off the bedroom and for the replacement of kitchen cabinets. The estimated fiscal impact is $10,000.

- ACGGH should receive more assistance from DJJ in terms of probation officers being required to visit youth in care at the group home. Sometimes youth are not seen for many months by their probation officers.

  Response: Current Department standards and procedures outline the visitation requirements of all Community Justice Case Managers. Area Directors have been directed to re-visit these requirements with direct care staff. Performance appraisals will be effected by non-compliance (i.e., from Area Directors to Direct Care Workers).

- At times, probation officers do not apply for the Medical Assistance Card for youth. This makes it very difficult on the provider to obtain and pay for medical services for youth.

  Response: The Department continues to engage in discussions with vendors and DHR to expedite the medical assistance application process. At a recent vendor meeting, DHR staff reviewed the medical assistance application process

The Department of Juvenile Justice Youth Centers are state owned and operated programs located in Allegany and Garrett Counties of Western Maryland. The Youth Centers have been known in the past as Forestry Camps and Boot Camps. There are four Centers: **Green Ridge, Savage Mountain, Meadow Mountain, and Backbone Mountain.** There was a fifth center, **Maple Run**, that has been closed down because of the expense that would be incurred to upgrade the physical plant and because it was located in a flood plain. Meadow Mountain operates as an addictions program.

- The Youth Centers under the direction of Superintendent Dale Schroyer have made a dramatic turn around since the closing of the boot camps. The Youth Centers now offer a "positive peer culture" group process program. Additionally, they have recently incorporated "EQUIP" training. EQUIP is a psycho educational curriculum and practical tool to enhance youth's maturity, moral development, anger management and social interaction skills. The programming has progressed form youth "doing time" to youth accomplishing treatment goals.

  Response: No comment

- DJJ states that only "chronic non-violent" offenders are admitted into the Youth Centers. In fact, many youth with histories of violence, some with very serious violent offenses against persons are, at times, admitted into the Youth Centers.

  Response: This assertion is too general. Specifics could be helpful. Youth are staffed by Resource Coordinators and Case Managers, and placed in programs to address their individual needs. The Department is currently working with Johns Hopkins School of Public Health and the University of Maryland's Bureau of Government Research to develop risk/need tools that will ultimately strengthen the screening process and decrease the number of inappropriately placed youth. The tools are currently being tested for validity

- Youth with serious mental health issues beyond the scope of the Youth Centers to treat are admitted into the centers.

  Response: A medical care model for treatment of adjudicated youth is currently being developed. This will provide an effective system of screening, diagnosing and treating youth with mental health issues, thereby reducing the number of those youth who are inappropriately placed.

- At times, youth with IQ scores below the stated minimum of 70 are admitted into the Youth Centers.

Response: The process of the model noted in response to #3 would also address this issue.

- Judges sometimes directly court order youth into the Youth Centers. This is not challenged by DJJ.

  Response: The Department cannot defy a court order. However, DJJ Case Managers routinely requests the Court's reconsideration of inappropriate commitment orders.

- Though the treatment program has made significant changes, as noted above, there continues to be an almost exclusive focus on negative behavior and too little focus on identifying and building on youth's strengths and reinforcement of treatment gains.

  Response: Youth Centers administration is reviewing this perception and will determine what action, if any, needs to be taken.

- The Educational Program at the Youth centers has come under intensive review form DJJ Headquarters even though the program has been highly praised in the past by youth and by educational professionals. This process has been disruptive at best and has resulted in demanding fundamental changes that are questionable in their potential impact on the youth.

  Response: The Department has identified the need to improve the delivery of education services in all DJJ programs to ensure consistent compliance with COMAR and MSDE requirements. Standardized scheduling and curriculum are being developed for all facilities.

- The program is about six months in length. This is too short to facilitate lasting change and should be lengthened to at least nine to twelve months.

  Response: DJJ does not agree with the Monitors' recommendation to increase the length of stay. Studies generally have not supported the concept that longer stays reduce recidivism in this population.

- Vocational training is minimal at best. This vital aspect of preparation for success should be strengthened to give youth specific job readiness skills that would lead to job placement as a condition for aftercare when appropriate.

  Response: The DJJ Superintendent of Education is reviewing options for increasing vocational programming.

- Aftercare services are insufficient to support youth after release from the youth Centers. This is a major cause of recidivism.

  Response: A new DJJ After Care Policy (Secretary Directive SDE-02-04) has been established to clearly outline the duties and functions of Case Managers with the responsibility of supervising after care youth. The new policy directs that all case planning for youth begin upon admission into a particular program. Additionally, the policy requires that treatment service plans be further developed, modified and implemented during a youth's residential stay and continued upon release. Performance appraisals will reflect non-compliance for staff failing to adhere to the after care policy.

- The Youth Centers experience many staff vacancies. It takes up to eight months to fill these slots. This has a negative effect on programming. These vacancies can be anticipated and the Department should be proactive in developing an on-going cadre of trained staff to fill these vacancies as they occur.

  Response: Current recruitment is in compliance with Maryland Police and Correctional Training Commission mandates. The Department recognizes the importance of reducing direct care vacancies and is aggressively recruiting.

- The Youth Centers have still not developed adequate public relations. This is unfortunate, as the Youth Centers are undoubtedly offering the most effective programming of any state operated facility. Additionally, the Centers are involved in many public service activities. Recently, local advisory boards have been organized for each Center.

  Response: No comment.

- Even though each Youth Center enrolls 30 to 40 youth, the Centers do not have on-grounds infirmaries and medical staff to care for sick youth. This means that direct care staff are taken away from their regular duties in order to supervise youth that are ill. This compromises the supervision and services given to other youth.

  Response: DJJ is reviewing. The Department has an Intergovernmental Agreement with the Allegany County Health Department to provide medical care.

The **Young Women's Facility of Maryland at Waxter** is a state owned and operated facility located in Laurel, Maryland. The facility is comprised of one

detention unit and three programming units. The facility is operated under DJJ Detention Standards and other DJJ policies and procedures.

- The facility was designed to house 68 males but the female population was moved there in 1998. At times, the facility has housed 92 females. Secretary Robinson issued a May 30, 2002 Directive reducing Waxter's population to 68. With the reduced population, the facility continues to lack appropriate sleeping, bathroom and programming space. The current population ranges from 74-82.

  Response: There are factors beyond the control of the Department that impact the facility's population. However, the Department has been aggressively working to limit the population to 68 by using detention alternatives such as Community Detention/Electronic Monitoring and shelter care. On 10/10/02, the population count was 64.

- The detention unit often appears unsanitary. It was designed to house 30 residents but currently houses 62. The unit only contains two toilets, sinks and showers. At night, approximately 15 detention girls must sleep on the programming units due to the lack of bed space on the detention unit.

  Response: The comment regarding unsanitary conditions is general and would be helpful if specific occurrences were noted. Maryland Standards for Juvenile Detention Facilities, issued by DJJ on November 1, 2000, govern sanitation. The Department Case Managers conduct regular reviews for appropriate detention alternatives for youth and to expedite placements to reduce the population.

- The programming units maintain a good appearance. The kitchen area is also very sanitary.

  Response: No comment

- The facility had a completed suicide in March 2002. As a result, a new superintendent was assigned to the facility and many new policies and procedures were implemented. However, a youth recently attempted suicide by hanging and had to be cut down by staff. The Office of the Independent Monitor found several breaches of the suicide prevention policy that occurred before the incident. Since the March incident, the facility has approximately 15 girls on suicide watch daily and several weekly transports to mental health facilities. This causes a strain on the administration and staff.

  Response: The DJJ Office of Professional Responsibility and Accountability (OPRA) will be conducting audits of this facility as well as

other facilities to ensure compliance with the DJJ Suicide Prevention Policy. Health Services has developed a mental health unit to provide treatment services to youth. The mental health unit consists of a Mental Health Coordinator, Ph.D Psychologist, Counselor LPC, Social Worker, LCSW-C, and a Social Worker, LCSW.

- The staff is often overworked and under trained.

  Response: The facility is aggressively recruiting to fill existing vacancies. Maryland Correctional Training Commission standards require a minimum of 160 hours of approved entry-level training and 18 hours of approved in-service training each calendar year.

- The staff received an 8 hour suicide prevention course but lacks additional mental health training. Administration plans to add 3 additional mental health workers. The mental health team will then provide training to the direct care staff.

  Response: No comment

- A modular unit has been ordered to provide the mental health team with office and programming space.

  Response: No comment

- There have been a high number of suicidal and violent behaviors amongst the population. A high number of youth become involved in alternative lifestyles within the facility. Recently, a youth on youth sexual assault occurred at the facility.

  Response: As mentioned above, a mental health unit was developed to address suicidal and violent behaviors. Also, an enhanced evening program and behavior management levels system was implemented.

- A newly hired counselor is currently enhancing the evening programming schedule. However, the facility also lacks space for the programs. The youth often complain of "being bored". The facility lacks vocational training, outside employment opportunities and community involvement.

  Response: Youth in the detention center are not there long enough for vocational training and outside employment would not be appropriate for detained youth. The Education Unit is reviewing vocational programming options for committed youth in long term secure programs.

- The facility rarely has escape attempts or AWOLs.

Response: No comment

Ferndale House is a state owned and privately operated facility located in northwest Baltimore. It has a capacity to house six male youth providing respite care services which are mandated by DJJ policy and standards and COMAR.

- The facility has had many capital improvements but it needs to renovate its third floor bathroom for use immediately.

  Response: DJJ's Support Services is requesting bids to repair the bathroom.

- The staff must intensify its programming for the residents and parents. The average length of stay is only two months; therefore, individual and group counseling must be provided much more frequently.

  Response: No comment

Maryland Youth Residential Center (MYRC) is a Department of Juvenile Justice (DJJ) owned and operated 24-bed shelter care facility that is located in Baltimore City.

- Facility has developed admissions criteria for the shelter care program.

  Response: No comment

- Residents are now receiving physical education.

  Response: No comment

- Capital improvements have been made throughout the facility.

  Response: No comment

- Surveillance cameras should be installed to enhance security.

  Response: DJJ Support Services is pricing cameras and monitors.

- The twelve beds that have been allotted to the Living Classrooms Program have been severely underutilized over the past eight months. This is concerning given the number of youth in detention and shelter facilities awaiting placement in such a program.

Response: DJJ is reviewing.

Mount Clare House is located on the fringe of downtown Baltimore City. The two story house facility is owned by the Department of Juvenile Justice (DJJ). The vendor for this facility is First Home Care Corporation. It is a twelve bed group home that serves male youth (ages 15 ½ - 18) who have emotional and behavior problems. The length of stay is nine months to one year. A cook on-site prepares meals. Although licensed by DJJ, the group home also contracts four beds with the Department of Human Resources (DHR); four beds with the Department of Health and Mental Hygiene (DHMH) and is governed by COMAR.

- Capital improvements have been made in many parts of the building.

  Response: No comment

- The program is very unique because of the three different referral sources. It has been successful in maintaining stability in its programming for the residents.

  Response: No comment

- During the past two years, this program has been confronted with numerous inappropriate placements.

  Response: No comment

William Donald Schaefer House is a nineteen bed locked door facility for male youth who have a history of alcohol or drug abuse. The property is owned and operated by the Department of Juvenile Justice (DJJ). It is located in a residential setting in north Baltimore.

- The facility does have a commercial grade kitchen but no cook. Meals are prepared across town at the Maryland Residential Youth Center. Reinstatement of a cook would enhance the program.

  Response: The Department is reviewing this recommendation.

- Facility needs some major renovations internally and externally. All windows need to be replaced. The hole in secretary's ceiling and the kitchen door to the food storage room require repair.

  Response: DJJ Support Services requested funds to replace windows (1996). The roof was recently repaired by a contractor. DJJ Facility Maintenance completed repairs to the damaged ceiling, which was caused by a leak in the shower above.

- This program has done very well utilizing its treatment approach employing group, individual and parental participation. There are very few critical incidents that occur at this facility.

  Response: No comment

Catonsville Structured Shelter Care (GUIDE) is a privately operated non-secure facility located on Department of Juvenile Justice property. The current license allows for a capacity of ten male youth. The current vendor is held accountable for its services by Code of Maryland regulations (COMAR) and certain Maryland Department of Juvenile Justice licensing requirements.

- There are a few physical plant issues that are outstanding; window, screens, kitchen floor and cabinet for exhaust fans need to be replaced.

  Response: DJJ Facility Maintenance have installed windows and screens, two windows were re-ordered. The kitchen floor has been repaired and the exhaust fan is scheduled to be installed by an electrician.

- Admission criteria for sex offenders have been reissued to all relevant entities. The policy forbids sex offenders from being admitted to shelter care facilities.

  Response: No comment

- Education for residents remains in compliance.

  Response: No comment

- Residents continue to perform community service weekly at a homeless shelter.

  Response: No comment

The **Charles H. Hickey School** is a privately run facility located on State property. The facility is comprised of detention units and programming units designed for 30 days to 6 months programs. Correctional/Service Corporation (CSC) is current vendor in the facility and it is held accountable for its service to Maryland's youth through the Code of Maryland Regulations (COMAR) and certain Maryland Department of Juvenile Justice (DJJ) licensing requirements, Detention Standards and Conduct Standards.

- The Hickey School has had a recent history of escapes, suicide attempts, sexual abuse incidents and physical abuse incidents. DJJ and another private security company were monitoring the exterior perimeter for security purposes from July 16, 2002 until the fence was repaired in October. DJJ continued to maintain monitors on the perimeter until early November.

  Response: No comment

- There have been security issues inside the fenced in area that also deserve the attention of DJJ monitors. Key control is questionable; contraband, such as handcuff keys, find their way into the facility; daily security checks have been omitted, tools have been stolen from the vocational-tech center, homemade weapons have been discovered and staff persons have been off their assigned posts.

  Response: The facility has been directed to provide corrective action to address specific incidents when cited. Further, DJJ Child Advocates and Monitors from OPRA continue to monitor inside the fence area.

- In November, this office found the security screening in a youth bedroom detached from the window frame. Upon further inspection, the window was found unlocked capable of allowing escape. Staff produced documentation stating that multiple security checks were conducted each day up until the morning of the discovered breach of security. The attention to the said security checks and the documentation thereof lacks creditability. This incident is particularly concerning given that the escape of multiple youth this summer was initiated through similar tampering of the bedroom windows.

  Response: The security breach was repaired under direction of DJJ Facility Maintenance. The facility is required to develop a corrective action to address this matter.

- There has been a lack of resources for effective vocational programs. Youth should be consistently engaged throughout the day to participate in vocational, educational, recreational and spiritual activities.

  Response: Department Education Unit is working with/monitoring the Hickey School to ensure services are delivered according to the contract.

- The status of the education program continues to be a concern. There are complaints from youth and monitors that some of the classes behind the fence are not engaging or challenging. There also appears to be a need for improved cooperation and communication between DJJ and the vendor.

  Response: DJJ Education Unit continues to work with Hickey School to ensure the vendor delivers the required services.

- The staff persons are overworked and are often forced to work overtime to meet minimum manpower requirements.

  Response: The contract requires minimum staff levels be maintained.

- Housing conditions are poor. Seclusion rooms are poorly ventilated, windows in the doors of the seclusion rooms are scratched and marred and ceiling vents in all bedrooms pose a serious threat to suicide prevention measures.

  Response: DJJ will review this concern.

- Facility maintenance has been fair at best. The grounds are generally mowed and well kept; however, the paved roadways are often filled with loose macadam potholes. Toilets and bathroom areas are often dirty and unkempt.

  Response: Sanitation comment is too general to correct. Response requires more specifics such as - what location, how often, on what dates?

- There have been several contractual disagreements between CSC/Hickey and DJJ regarding major repairs and /or replacements of boilers, security alarm systems, window, water lines and other high cost items.

  Response: No comment

- There have been a high number of youth-on-youth, youth-on-staff and staff-on-youth assaults/uses of force. Staff persons are not adequately trained to deal with many of the youths' behavioral and emotional issues.

Methods utilized for restraint and crisis intervention must be re-evaluated for effectiveness and safety.

Response: The vendor is required to provide training based on MCTC standards that call for a minimum of 160 entry-level approved training hours and 18 hours of approved in-service training annually and include crisis intervention and prevention.

- Youth are often held in detention for extended periods of time awaiting placement. Unlike the adult system, youth are not given credit for "time served" and they often become a product of the juvenile justice community that involves a cycle of detention, placement, probation, violation and detention. Programs and facilities should develop and satisfy specific performance expectations. Programs should include an aftercare structure that maintains contact, encouragement, responsibility and accountability.

  Response: Secretary's Directive on Treatment Service Plans Policy effective 1/31/02 (revised 9/26/02). Secretary's Directive SDE-02-04 After Care Policy, draft issued 9/30/02.

- Staff persons should become engaged in the programming of each youth to ensure that proper role modeling, mentoring and concern are displayed. In order to attract such qualities, staff persons should possess a certain level of education and training. They should also experience a high quality of life in a work atmosphere that is responsive and conducive to the stresses of working with delinquent youth. Staff persons should also be compensated with a decent and respectable wage.

  Response: No comment

The **Thomas O'Farrell Youth Center** is a privately run facility on state property which houses 43 adjudicated delinquent young men and an off-campus Transitional Living Continuum shelter care houses 7 more.

- There have been on-going concerns relative to the repair and/or replacement of air conditioners, an emergency generator, warming trays and refrigerators.

  Response: DJJ reviewing

- There have been some outstanding programs developed involving a limited number of youth; however, the diversity of recreation and programming on a daily basis does not appear adequate. There are some

"fun days," athletic competitions and some youth involved in police cadet training, but general recreation consists of basketball.

Response: Comment "does not appear adequate" too vague. Need more specifics.

- Too many youth have complained of "nothing to do" on a daily basis. The program is very strong in meeting the group interaction needs of youth but there should be more vocational training, outside employment opportunities and community involvement.

  Response: DJJ reviewing to ensure the vendor is providing services according to the contract.

- There have been some outstanding internal investigations completed by staff.

  Response: No comment

- Youth on youth assaults continue to be a problem, but the staff persons appear to be doing a better job of recognizing problem areas and taking a more proactive approach in dealing with conflicts.

  Response: No comment

- Escapes and AWOLs have also been a past concern but the facility appears to be addressing these issues.

  Response: No comment

- There were some ongoing concerns with the hiring of another cook, but after a lengthy process, a new cook is on board.

  Response: No comment

- Some major vacancies in administration have recently developed. There are vacancies for a special education coordinator, a director of education, a clinical director and an assistant facility administrator. Advertising, interviewing and applicant processing are on going.

  Response: No comment

The **Sykesville Shelter Group Home** is a privately run structured shelter care home located on state property. The facility houses up to 10 females.

- The facility is a house in a neighborhood close to a major state highway, which makes it vulnerable to runaway concerns. But considering its location, runaways are not a major problem.

  Response: No comment

- The staff and administration at the facility appear energetic, positive, enthusiastic and committed. There were some early concerns about one staff person being unfair with youth but those concerns have been addressed.

  Response: No comment

- There is an ongoing problem with inappropriate youth being referred to the facility, especially on weekends. Youth who are violent or have suicidal past are not appropriate referrals to the facility. DJJ Administrators and field services have been made aware of this concern and it appears to be less of a problem.

  Response: Secretary's Directive Detention and Shelter Care SDE 2220-01-01, effective 10/15/01 (revised draft being finalized) will address this issue.

- There have been problems with youth not having an adequate supply of prescribed medications when they enter the facility. Administrators work on a case by case basis to solve those concerns, however, DJJ appears to be in the process of trying to address these concerns with Medicare. Youth under the care and control of DJJ must be properly examined and diagnosed by qualified professionals and provided with those medications deemed essential for behavioral and or physical control.

  Response: No comment

- There were hopes to have a building expansion completed so the facility could provide better education services but DJJ denied the request. The facility may make a request to reduce the population's capacity to 8 so there can be more room for educational services.

  Response: No comment

- The interior of the building is kept neat and clean and youth participate in the preparation of all meals.

Response: No comment

- A certified part-time teacher had been providing outstanding service but there is a need for a full time teacher.

  Response: No comment

The **Eastern Shore Structured Shelter Care** is a privately run shelter care home located in Cambridge, Maryland on state owned grounds of the Eastern Shore Hospital Center. The facility houses up to 8 males and 2 females. The facility operates under the Code of Maryland Regulations (COMAR).

- Many improvements have been made to the facility over the past year. A few minor outstanding issues remain but repairs are currently underway.

  Response: No comment

- The facility is the only privately run shelter care program with computer access to DJJ's Assist Program and Online Incident Reporting System.

  Response: No comment

- The youth participate in trips within the community but a more enhanced schedule is needed.

  Response: No comment

- The staff is trained in suicide prevention and fire safety.

  Response: No comment

- Although meals are delivered from another facility owned by the vendor, plans should be made to have the youth participate in the preparation of all meals in the house.

  Response: No comment

- At times, youth from Baltimore City are placed in the facility for up to 2 months.

  Response: No comment

- Recently, Eastern Shore field services staff has placed inappropriate youth in the facility.

  Response: The revised policy on detention and shelter care will address this issue. (Secretary's Directive SDE2220-01-01, effective 10/15/01)

The **J. DeWeese Carter Youth Facility** is a 24 bed detention facility located in Chestertown, Maryland. It is state owned and operated. The facility houses both males and females between ages 12 and 18. The facility operates under Department of Juvenile Justice's Detention Standards and other DJJ policies and procedures.

- The facility is located on the grounds of a state owned mental health facility and maintains a good appearance. There are no outstanding physical plant issues.

  Response: No Comment

- The staff works well as a team and forced overtime is rare.

  Response: No comment

- The facility was designed to house 15 youth at single capacity but often sleeps 30 youth at double capacity. At times, the population reaches 40-45.

  Response: The Department uses detention alternatives whenever appropriate. On 12/11/02, the population was 19.

- The staff has been trained on fire safety and suicide prevention. The direct care staff works closely with the mental health clinicians and medical staff. The facility has a full time mental health worker and 2 full time juvenile counselors to provide enhanced programming and case management. Administration plans to hire a full time addictions counselor and social worker within the next year.

  Response: No comment

- Youth should be detained in Carter for up to 30 days but the average stay is 2 ½ months. There have been issues with field services staff from the Eastern Shore failing to visit youth while being detained in the facility.

Response: Current Department standards and procedures outline the visitation requirements of all Community Justice Case Managers. Area Directors have been directed to revisit these requirements with their respective community justice staff.

The **Alfred D. Noyes Children's Center** is a state owned and operated detention facility. The facility houses both males and females under the age of 18. DJJ's Detention Standards, the Standards of Conduct and other DJJ policies and regulations guide and direct the operation of the facility.

- The facility has a very good appearance and is located in an industrial park atmosphere.

  Response: No comment

- Staff persons are often overworked, especially when the population balloons to over 70 youth. The facility is built to house a maximum of 58 youth.

  Response: The Department uses detention alternatives when appropriate to reduce detention population. When the 24-bed Western Maryland Juvenile Justice Center opens, the Noyes Center population will be reduced.

- Youth often sleep on the floor in plastic "boats" (portable beds) when the facility runs out of the required beds. Although administrators say this practice is optional for the youth, several of the youth interviewed by the writer said they were not aware of the option to refuse to sleep in the "boat".

  Response: No comment

- Until recently, documentation was not maintained to support follow-up actions in response to fire marshal inspections.

  Response: No comment

- Although youth should stay in detention for 30 – 60 days, there have been occasions where youth have spent 6 months in the center – without placement.

  Response: DJJ Area Directors have been directed to review the list of youth pending placement over 25 days to determine appropriate

placement alternatives. Additionally, they have been directed to urgently plan for those youth pending placement over 100 days.

- The youth housed at the facility are too often deprived of their required outdoor recreation due to staffing shortages.

  Response: DJJ is reviewing this issue. Recent recruitment and hiring of new staff should alleviate this concern.

- The facility was not consistently following the correct procedures to notify Child Protective Services of suspected abuse/neglect incidents, but that problem appears to have been corrected.

  Response: DJJ policy on Reporting and Investigation Child Abuse and Neglect, effective 2/18/00.

- The facility did not have a DJJ child advocate assigned for several months.

  Response: Secretary's Directive SD1310-01-01 Child Advocacy Grievance Policy, effective 10/1/01. There is a child advocate currently assigned to Noyes.

- There has been an ongoing concern about towels being ripped into smaller wash cloths and/or hoarded by some youth so that other youth have not towels to dry off with after taking a shower. This office has discussed options with supervisors and administrators to hold youth accountable for returning towels after their use.

  Response: Procedures have been implemented.

The **Cheltenham Youth Facility** is a state owned and operated facility located in Cheltenham, Maryland. The facility is comprised of seven detention units and two shelters. The facility operates under the DJJ Detention Standards and other DJJ policies and procedures.

- The facility was designed to house up to 160 males but currently houses approximately 280 males between ages 11 and 18.

  Response: When the Baltimore City Juvenile Justice Center opens in the spring, the population at Cheltenham will be reduced and serve the Southern Maryland region. The youth from Baltimore City who are currently housed at Cheltenham will be held in BCJJC's regional center.

The current capacity for Cheltenham has been established at 180. In order to reduce the current population of 252 on 12/11/02, the following strategies have been ongoing:

- population reduction team was formed to review all youth cases to identify youth appropriate for detention alternatives/expedite their placements
- bi-weekly administrative reviews to accelerate effort to place youth
- confinement review teams to review every youth to expedite their placement will be operational in January 2003.

- In January 2002, a second shelter (Murphy) was opened to provide additional shelter care beds to the facility. Since July, Murphy Shelter has been closed due to a staffing shortage. The OIM questions whether the lack of shelter care space contributes to the overcrowding in the detention population.

  Response: The 24 bed Murphy Shelter was opened in January, 2002 to expand the shelter care capacity from 12 to 36. The Cheltenham 12 bed shelter was closed due to reduced demand. The Murphy Shelter still represents an increase of 12 shelter beds. The current shelter population on 12/11/02 was 17. Ongoing reviews of detention population are conducted to identify shelter eligible youth. The current number of shelter placements does not support the re-opening of the second Cheltenham shelter care program at Cheltenham Youth Facility.

- In March 2002, a new superintendent was placed at the facility. By August, he returned to field services. In September, the facility's third superintendent this year was hired.

  Response: No comment

- This year, CYF has had successful escapes from detention and shelter, cases of sexual and physical abuse on youth by staff, and many suicide attempts.

  Response: Staff are held accountable for security breaches and inappropriate behavior. Employees Standards of Conduct and Disciplinary Process, effective 8/31/00. Secretary's Directive SD-E2270-01-01 Suicide Prevention Policy, effective 12/4/01 (revised 3/15/02) outline all suicide protocols.

- The number of youth on youth physical assaults has increased this year. Suicide attempts in the infirmary have increased also.

Response: Corrective action includes training for staff in crisis prevention, enhancing the Youth Behavior Management Levels System and redevelopment of the emphasizing of the role of the Youth Advisory Council.

- During the fall of 2002, this office noticed a decrease in the number of incident reports being field noting significant events within this facility including youth injuries, assaults and other problems associated with the operation of this program. Upon initial review, it appears the DJJ policy was not followed in the reporting of required incidents.

  Response: Facilities are mandated to comply with Secretary's Directive SD-E-01-01 Incident Reporting Policy effective 12/04/01. The Office of Professional Responsibility and Accountability (OPRA) is auditing facility compliance regarding the incident reporting policy.

- Housing conditions are poor, in part, because the facility's detention units do not have adequate sleeping, recreation, bathroom or programming space to house the current population.

  Response: Alternatives to detention such as electronic monitoring and shelter care were used where appropriate to reduce the detention population. When opened, the newly constructed BCJJC will accommodate Baltimore City youth, reducing the population at Cheltenham to Southern Maryland region youth.

- The facility is operating with a minimal staffing level. The staff is often overworked due to forced overtime and being under trained. The staff lacks training in fire safety and dealing with mental health issues amongst the youth.

  Response: The facility is aggressively recruiting to fill existing vacancies. Staff hired for the BCJJC that have completed their entry level training have been temporarily assigned to Cheltenham pending the opening of the BCJJC to enhance staffing.

  Current MCTC regulations require a minimum of 160 hours of entry level approved training and 18 hours of in-service approved training a year.

  Fire safety training and training on the operation of the fire alarm system was provided by the vendor responsible for system maintenance.

- The facility lacks an enhanced evening program. More services are needed to meet the vocational, education, recreational and spiritual needs of the youth. Five new juvenile counselors have been hired to begin improving and implementing an evening program as well as daily case

management for the youth. The facility also enhanced its level system as a reward for youth displaying positive behavior.

Response: The evening program at the facility is being enhanced.

- The facility was out of compliance with the DJJ Suicide Prevention Policy and State Fire Safety Code but recent changes have corrected some issues.

  Response: DJJ Secretary Directive SD-E-2270-01-01 Suicide Prevention Policy effective 12/4/01 (revised 3/15/02) was issued to staff. The State Fire Marshal's Office conducts announced and unannounced visits. The facility fire safety plan, developed April 2001, is being reviewed and updated.

- Many improvements were made to the physical plant of the facility. Due to the age of the buildings, many more costly improvements have not been approved. This summer, a new sprinkler system was added to the bedrooms, new suicide proof air vents were install in three cottages and central air conditioning was added to one cottage.

  Response: No comment

- The future plan for the facility is to renovate into two 24 bed units. The shelters will remain. Some buildings will remain but the other housing units will be torn down.

  Response: This is not an accurate description as to what is to take place. The program for Cheltenham was submitted to Capital Budget for approval on 10/3/01.

- The educational program will soon become the pilot for DJJ's new standardized educational program. The program will model the Maryland State Department of Education's (MSDE) standardized program and be gradually adopted in every detention facility in the state. The facility is experiencing a teacher shortage. Youth hosed in the infirmary often have school only once or twice per week.

  Response: The Department is aggressively recruiting to fill all vacancies. Teachers hired for the newly constructed Baltimore City Juvenile Justice Center have been temporarily assigned to Cheltenham until that facility opens.

The **Hagerstown Holdover Center** has been in operation for many years as a temporary holding facility for youth awaiting their court hearing or awaiting transportation to another facility. These services will be provided at the new 24 bed Western Maryland Detention Center when it is completed. However, it is uncertain as to when this new facility will open. A former Center Supervisor at the Youth Centers has been promoted to Assistant Superintendent and will head the new facility when it opens.

- The Holdover facility has made many changes pursuant to our findings and recommendations. Youth are no longer held for more than 24 hours. Youth are not held in locked cells unless their behavior necessitates. Educational and recreational opportunities are now provided. A nurse is available to conduct an initial health screening. Youth that present as potentially suicidal are transported to the hospital.

  Response: No comment

- The facility is usually busy only on Wednesdays, which is juvenile court day. Because of how chaotic it can become in this small facility, which consists of two main rooms and four cells, there is more pressure on staff to maintain order and structure. At times, some staff tends to let down their guard. This is a constant training issue.

  Response: No comment

The 24-bed **Western Maryland Juvenile Detention Center** is a newly constructed facility located just South of Hagerstown. There have been many problems, some of which remain unresolved in regards to the design and construction of this facility. Though it was scheduled to be completed by the end of June 02, it is unknown at this time when the facility will open.

- Holding rooms include semi-open toilet facilities. These rooms are designed for up to five youth each. There is a lack of privacy and limited square footage [25 Sq. ft. per person]. Youth will be housed in these areas for up to six hours.

- Toilets and sinks in all bathrooms, including sleeping rooms, are constructed of vitreous china, which can be broken into shards. Additionally, plumbing is exposed, handles are non-secure, and ADA fixtures in bathrooms pose a risk to youth.

- The design of the 12 unit living pod makes it difficult to supervise all areas at the same time.

- The isolation "quiet room" is located in such a way that it is difficult to monitor visually, and there is no camera monitor coverage of the room or the hallway leading to the room. This poses a risk to youth and to staff, especially as youth being escorted to this room are likely be very upset, and highly charged.

- The design of the exterior walls and gates compromises security increasing the possibility of escape.

- The gym floor is uneven, and potentially unsafe. There is ongoing review of this issue between the contractor and DGS.

- There are a number of offices and rooms where youth will be that do not have secure ceilings. This could be used as access to the control room, which also does not have a secure ceiling.

- The Life Skills room has equipment, such as a garbage disposal, and an electric stove that could pose a risk to youth.

- The youth bathroom doors open inward making it possible for the doors to be jammed from the inside.

  Response: See DJJ correspondence of December 12, 2002 attached in appendix A.

The 24-bed **Eastern Shore Juvenile Detention Center** is currently under construction and approximately 75% complete. It is located in Salisbury on the grounds of the Wicomico County Adult Detention Center and Sheriff's Office. It is scheduled to open sometime next year. This facility has some of the same issues in terms of design and construction as the Western Maryland Juvenile Detention Center.

- Toilets and sinks in all bathrooms, including sleeping rooms, are constructed of vitreous china, which can be broken into shards. Additionally, plumbing is exposed, handles are non-secure, and ADA fixtures in bathrooms pose a risk to youth.

- Each bedroom will be equipped with "break away" clothing hooks. These hooks may still be subject to posing a suicide risk by hanging if successfully jammed or serve as weapon if broken off.

- The air vents under the bedroom sinks have aperture openings greater than ¼ inch posing a suicide risk.

- The superintendent's office is being designed with a control room panel to "override" the function of the control room in case of an emergency. Physical security in the administrative portion of the building in which the superintendent's office is located lacks the degree of security required for master control function.

- This facility is co-located on the grounds of the local adult detention center. The Federal Juvenile Justice and Delinquency Prevention Act requires that sound and sight separation be maintained between juveniles and adults. When juvenile and adult facilities are co-located, a special study is required to ensure that the design and operation of co-located facilities meets the requirements of sound and sight separation. Upon inquiry, this Office has not been assured that such a study has been conducted. The Governor's Office of Crime Control and Prevention is the designated agency responsible monitoring federal compliance. Failure to maintain compliance with the federal guidelines could jeopardize Maryland's federal juvenile justice funding.

  Response: See DJJ correspondence of December 12, 2002 attached in appendix A.

APPENDIX A

DEPARTMENT OF JUVENILE JUSTICE
One Center Plaza
120 West Fayette Street
Baltimore, MD 21201

"Together...ReShaping Young Lives"

Parris N. Glendening
Governor

Kathleen Kennedy Townsend
Lt. Governor

Bishop L. Robinson
Secretary

December 12, 2002

Mr. Ralph Thomas
Office of the Independent Monitor
Governors Office for Children Youth
and Families
301 West Preston Street
Baltimore MD 21201

Dear Mr. Thomas:

Please find attached the Department of Juvenile Justice response to the Office of the Independent Monitors' Assessment of Facilities, to be included in your Quarterly Report to the Legislature. It is my understanding that written reports with respect to the buildings under construction will no longer be issued by the Office of the Independent Monitor nor will the Department reply to previously issued reports of this nature.

If you have questions, please advise.

Sincerely,

Rudy Adams
Assistant Secretary

RA/dpw

C: Bishop L. Robinson
Vickie Colter
Phyllis Hildreth
Terence Curtis
Phil O'Donnell

Attachment: as stated

PHONE: (410) 230-3333 TOLL FREE: 1 (888) 639-7499 TDD: 1(800) 735-2258

APPENDIX B

Presentation to the State Juvenile Justice Advisory Board

The Office of the Independent Juvenile Justice Monitor

By:
Ralph Thomas,
Executive Director
and
Earl El-Amin,
Assistant Director

September 30, 2002

HISTORY

FEBRUARY 2000 – THE MARYLAND SUBCABINENT FOR CHILDREN, YOUTH, AND FAMILIES AND THE MARYLAND DEPARTMENT OF JUVENILE JUSTICE SIGNED A MEMORANDUM OF AGREEMENT ESTABLISHING THE INDEPENDENT JUVENILE JUSTICE MONITOR WITHIN THE GOVERNOR'S OFFICE FOR CHILDREN, YOUTH, AND FAMILIES.

SEPTEMBER 2000 – OFFICE OF THE INDEPENDENT JUVENILE JUSTICE MONITOR BEGAN OPERATION WITH TWO MONITORS.

MARCH 2001 – OFFICE EXPANDED BY THREE ADDITIONAL MONITORS THROUGH A FEDERAL JUVENILE ACCOUNTABILITY AND INCENTIVE BLOCK GRANT VIA THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION.

APRIL 2002 – HOUSE BILL 971 CODIFIES THE OFFICE OF THE INDEPENDENT JUVENILE JUSTICE MONITOR EFFECTIVE **OCTOBER 1, 2002.**

MISSION

TO PROMOTE THE POSITIVE TRANSFORMATION OF THE JUVENILE JUSTICE SYSTEM TO MEET THE NEEDS OF MARYLAND'S YOUTH, FAMILIES, AND COMMUNITIES.

THIS MISSION IS ACCOMPLISHED BY:

- COLLABORATING WITH ALL WHO ARE INVOLVED WITH THE JUVENILE JUSTICE SYSTEM;
- COLLECTING AND EVALUATING ALL INFORMATION;
- REPORTING FINDINGS AND RECOMMENDATIONS; AND,
- MONITORING ACTIONS TAKEN.

DUTIES AS PER HB 971

THE OFFICE SHALL

EVALUATE AT EACH FACILITY:

- THE CHILD ADVOCACY GRIEVANCE PROCESS;
- THE DEPARTMENT'S MONITORING PROCESS;
- THE TREATMENT OF AND SERVICES TO YOUTH;
- THE PHYSICAL CONDITIONS OF THE FACILITY; AND,
- THE ADEQUACY OF STAFFING.

REVIEW ALL REPORTS OF DISCIPLINARY ACTIONS, GRIEVANCES, AND GRIEVANCE DISPOSITIONS AND ALTERATIONS IN THE STATUS OR PLACEMENT THAT RESULT IN MORE SECURITY, ADDITIONAL OBLIGATIONS, OR LESS PERSONAL FREEDOM.

RECEIVE COPIES OF THE GRIEVANCES SUBMITTED TO THE DEPARTMENT.

PERFORM UNANNOUNCED SITE VISITS AND ON-SITE INSPECTIONS.

RECEIVE AND REVIEW ALL INCIDENT REPORTS SUBMITTED TO THE DEPARTMENT.

RECEIVE REPORTS OF THE FINDINGS OF CHILD PROTECTIVE SERVICES INVESTIGATIONS OF ALLEGATIONS WITHIN FACILITIES.

BE AVAILABLE TO ATTEND MEETINGS OF THE STATE ADVISORY BOARD.

OFFICE OF THE INDEPENDENT JUVENILE JUSTICE MONITOR

ASSIGNED DJJ FACILITIES

FACILITY	LOCATION	MONITOR
Allegany Girls Group Home	Allegany County	Tim Snyder
Green Ridge Youth Center	Allegany County	Tim Snyder
Maple Run Youth Center *	Allegany County	Tim Snyder
Thomas J. S. Waxter Children's Center	Anne Arundel County	Kim Bones
Baltimore Juvenile Justice Center #	Baltimore City	Earl El-Amin
Ferndale Group Home	Baltimore City	Earl El-Amin
Maryland Youth Residence Center	Baltimore City	Earl El-Amin
Mount Clare House	Baltimore City	Earl El-Amin
William Donald Schaefer House	Baltimore City	Earl El-Amin
Guide Northeast Shelter Home	Baltimore County	Earl El-Amin
Charles H. Hickey, Jr. School	Baltimore County	Jeff Merson
Thomas O'Farrell Youth Center	Carroll County	Jeff Merson
Sykesville Group Shelter Home	Carroll County	Jeff Merson
Eastern Shore Structure Youth Shelter	Dorchester County	Kim Bones
Hurlock Youth Center *	Dorchester County	Kim Bones
Victor Cullen Academy *	Frederick County	Jeff Merson
Backbone Mountain Youth Center	Garrett County	Tim Snyder

FACILITY	LOCATION	MONITOR
Meadow Mountain Youth Center	Garrett County	Tim Snyder
Savage Mountain Youth Center	Garrett County	Tim Snyder
J. DeWeese Carter Youth Facility	Kent County	Kim Bones
Karma Academy *	Montgomery County	Jeff Merson
Alfred D. Noyes Children's Center	Montgomery County	Jeff Merson
Cheltenham Youth Facility	Prince George's County	Kim Bones
Hagerstown Holdover Program	Washington County	Tim Snyder
Western Md. Juvenile Detention Center #	Washington County	Tim Snyder
Eastern Shore Juvenile Detention Center #	Wicomico County	Kim Bones

* Facility not currently in operation

Facility under construction – to be opened

VISITATION REPORTS AND CORRECTIVE ACTION PLANS

BASED UPON VISITATION TO THE FACILITIES BY THE MONITORS, REPORTS ARE SUBMITTED EVERY TWO MONTHS TO DJJ WITH KEY FINDINGS AND RECOMMENDATIONS.

SPECIAL REPORTS MAY BE SUBMITTED ON A MORE TIMELY BASIS IF CIRCUMSTANCES DICTATE.

DJJ REVIEWS REPORTS AND SUBMITS CORRECTIVE ACTION PLANS TO THE INDEPENDENT MONITOR.

INDEPENDENT MONITOR REVIEWS CORRECTIVE ACTION PLANS AND DETERMINES WHETHER TO ACCEPT.

IF NOT ACCEPTED BY THE INDEPENDENT MONITOR, CORRECTIVE ACTION PLAN IS RETURNED TO DJJ WITH REQUEST TO AMEND.

DJJ REVIEWS AGAIN AND DETERMINES WHETHER TO AMEND CORRECTIVE ACTION PLAN.

DJJ RETURNS CORRECTIVE ACTION PLAN.

IF THE INDEPENDENT MONITOR AND DJJ CANNOT REACH AGREEMENT ON THE CORRECTIVE ACTION PLAN, THE MATTER IS REFERRED TO THE SPECIAL SECRETARY OF THE GOVERNOR'S OFFICE FOR CHILDREN, YOUTH AND FAMILIES AND THE SECRETARY OF THE DEPARTMENT OF JUVENILE JUSTICE FOR RESOLUTION.

ACCOMPLISHMENTS

- **Facility Improvements:**
  - Maryland Youth Residence Center (MYRC): addressed the need to restructure the MYRC facility to operate as a staff-secure, rather than a physically secure program, improving the operation of the center.
  - Hagerstown Holdover: recommended reducing the number of youth held and the length of stay for youth in this temporary care program. DJJ plans to close this facility once the Western Maryland Detention Center opens in 2002.
  - Physical plant: cited deficiencies, resulting in enhanced maintenance and capital improvements in most facilities.
- **Effective practices and standards:** worked with DJJ on the development of a set of standards to monitor both secure and non-secure (shelter care and group homes) residential facilities.

  - participated in work groups to enhance core (COMAR) and DJJ standards.
- **Technical assistance:** provided training to entry level DJJ personnel in child abuse law, regulation and policy.
- 219 site visits during first twelve months of operation and 429 site visits during FY 2002.
- **Suicide prevention:** identified the need for the development of a comprehensive suicide prevention policy and procedure.
- **Child abuse:** facilitated meetings with DJJ, DHR, and state police addressing inconsistencies in reporting.
  - Assisting with initiative to train interagency personnel in issues associated with residential care abuse and neglect.
  - HB 971 provides mechanism for independent juvenile justice monitor to work collaboratively with local child protective services.
- **Mental health:** collaborated with DJJ, DHMH, and local mental health officials to improve the operation of a mental health screening and assessment program within a detention facility.
- Addressed admission criteria (acceptable and non/acceptable offenses) for shelter care statewide.

CONTINUING ISSUES

- **Child Advocacy Grievance Process:**
  - Due to increased responsibility in other facilities, DJJ's capability to cover all assigned facilities is impacted. DJJ is in the process of hiring additional advocates.
  - Youth's knowledge of and access to DJJ's grievance process is inconsistent between certain facilities.

- **Department's Monitoring Process:**
  - Ability to process incident reports hampered by high volume and staffing resources. DJJ is in process of hiring additional investigators.

- **Treatment of and Services to Youth:**
  - Overpopulation in secure detention and commitment programs hampers service delivery.
  - Lack of scheduled programming and services creates prolonged periods of idleness among youth and is a contributing factor to youth acting out.
  - There are excessive periods of time during which youth are awaiting placement without treatment and services specific to their needs.
  - Youth with serious behavioral and/or mental health issues are placed in facilities that can not adequately service them.
  - Vocational programming is limited.
  - DJJ's suicide prevention policy and procedure is not yet fully adhered to in all facilities.

- **Physical Plant:**
  - Many facilities are architecturally antiquated.
  - Maintenance in certain facilities is lacking.
  - Upgrades to enhance safety and security are still required.
  - Physical plants are inadequate to serve the number of youth placed.

- **Adequacy of Staffing:**
  - There is inadequate staffing and a high rate of staff vacancies.
  - DJJ operated facilities are not required to maintain a minimum youth to staff ratio.
  - Low compensation and lack of benefits for contractual employees hinder recruitment.
  - Staff in need of additional training to enhance level of proficiency.