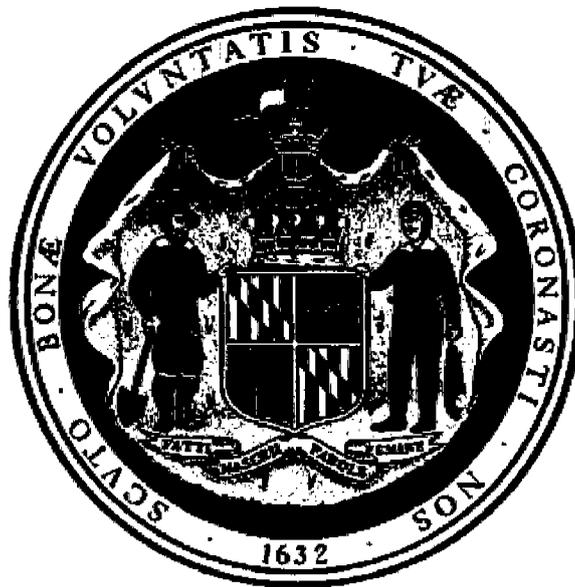


Quarterly Report

July 1, 2003 – September 30, 2003

The Office of the Independent Juvenile Justice Monitor



Robert L. Ehrlich, Jr. – Governor
Michael S. Steele – Lt. Governor
M. Teresa Garland, Esq. – Special Secretary,
Governor's Office For Children, Youth, & Families

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

ROBERT L. EHRLICH, JR.
Governor



M. TERESA GARLAND
Special Secretary

MICHAEL S. STEELE
Lieutenant Governor

MEMORANDUM

To: Special Secretary M. Teresa Garland, Esq., Governor's Office for Children, Youth, and Families
Secretary Kenneth C. Montague, Jr., Department of Juvenile Services

From: Ralph B. Thomas, Executive Director, Office of the Independent Juvenile Justice Monitor, Governor's Office for Children, Youth, and Families RT

Subject: Quarterly Report for July 1, 2003 – September 30, 2003, Office of the Independent Juvenile Justice Monitor

Date: December 5, 2003

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

As required by Article 49D, Office for Children, Youth, and Families of the Annotated Code of Maryland, Section 45(b)(2), the Office of the 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 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 fourth quarterly report encompasses the period from July 1, 2003 to September 30, 2003. It notes conditions found within the Department of Juvenile Service's facilities by the Office of the Independent Juvenile Justice Monitor as well as those matters that have remained unabated since the issuance of the last quarterly report. As required, this report also includes the Department of Juvenile Service's response to the comments offered by the Office of the Independent Juvenile Justice Monitor. The Office of the Independent Juvenile Justice Monitor does not necessarily endorse or concur with the responses offered by of the Department of Juvenile Services.

I hope that this report serves to provide an accurate assessment of conditions within Maryland's Department of Juvenile Services facilities and assists in the development of strategies to enhance programs and services to youth.

The Office of the Independent Juvenile Justice Monitor looks forward to continuing in its work with you in transforming juvenile justice within Maryland.

**MONITORS' ASSESSMENTS OF FACILITIES AND THE
DEPARTMENT OF JUVENILE SERVICES RESPONSE**

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**MONITORS' ASSESSMENT OF FACILITIES AND THE DEPARTMENT OF
JUVENILE SERVICES
RESPONSE**

The YMCA operates the **Allegany County Girls Group Home** on property that is owned by DJS. ACGGH accommodates up to 9 girls, who stay in the program for an average of 9 months. A "Healthy Home" model of treatment intervention is utilized. This model includes the use of community resources for schooling, health, mental health services, and recreation. Over the past several years the group home has made many changes that have had a dramatic positive impact on the quality of programming. ACGGH now offers a very viable program for troubled young women. The Program Administrator, along with the Program Manager and staff members, have been working to continue to improve programming and services. The group home receives many appropriate referrals, and reports that probation officers are working much more cooperatively with the program in obtaining medical assistance cards and in attending progress meetings.

- The physical plant appears to be in good condition overall. New kitchen cabinets were recently installed by DJS. The facility is decorated tastefully and is kept neat and clean by ACGGH. The landscaping is attractive, and the grounds are kept clean. Estimates have been obtained to repair the private road into the facility. The heating registers need to be repaired.

Response: As of this writing, DJS has requested funding for the road repair. It is estimated to cost between \$20,000 and \$30,000 for repair.

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**. Meadow Mountain operates specifically as an addictions program. A total population of 156 youth is served in the Youth Centers.

The Youth Centers overall have few incidents reported. This is an indication that for the most part the needs for health, safety and security are met.

- **Unabated for 30 Days or More:** There continues to be a discrepancy between the stated admissions criteria and the actual background of some of the youth in the Centers. This presents a potential risk to health, safety and security of youth, staff, and the community. Further, it presents a very real liability issue to the Department should a serious incident occur. It is the Independent Monitor's recommendation that the admissions criteria be followed. Criteria are not guidelines as stated by DJS, and any breach of the criteria should be thoroughly documented as to the rationale used

for placement in the Centers. Only youth that are truly appropriate for a staff secure, not facility secure placement, should be admitted into the Youth Centers.

Response: Revision to admissions criteria that will address this issue is under review.

- The Youth Centers, at times, still experience pressure from DJS officials to accept inappropriate youth in the open programs.

Response: Placement decisions are made on an individual basis consistent with mandates in federal and state law, requiring placement in the least restrictive and most appropriate environment.

- Youth Center programming could be enhanced if a continuum of care was readily accessible within the Youth Centers. The type of youth noted above could be served in the more secure setting. A needs assessment should be conducted to ascertain the feasibility of developing this continuum of care within the Youth Center setting.

Response: The Department's continuum of care dictates that youth requiring a more secure setting than the Youth Centers should be placed in a more secure placement. Also, there have been discussions regarding developing another youth center that is secured by a fence. With respect to future planning, a needs assessment will be conducted.

- **Unabated for 30 Days or More:** The group process program, in order to maximize effectiveness, is dependent upon maintaining group cohesiveness over a significant period of time. Factors that are disruptive to the group should be identified and minimized. The Office of the Independent Juvenile Justice Monitor continues to recommend a longer length of stay, with increased expectations for release. This is particularly pertinent as follow-up and aftercare services are inadequate in most cases to support youth after placement. Therefore, youth need to progress in placement to a place where they are ready and able to assume a high level of responsibility and independence upon release. This would likely reduce the unacceptably high level of recidivism.

Response: As previously stated, DJS does not agree with the Monitor's recommendation to increase the length of stay. The longer the youth is away from his community and family, the more difficult it is to maintain critical family relationships. DJS strengthening of after-care services, such as intensive after care teams, will help support the youth's adjustment back to the community. Also, a new DJS after-care policy (Secretary's Directive SDE-02-04) has been established which clearly outlines 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 at admission.

- One of the greatest strengths in the Youth Centers is the educational programming. However, the school day calendar was changed by DJS Educational Administration as part of their plan to implement a public school

model in the Centers. This has resulted in youth receiving fewer classroom hours, and fewer credits earned during placement. This loss is unfortunate. It is recommended that the educational hours and credits be restored to the youth.

Response: The Education Unit continues to work to ensure compliance with COMAR and MSDE and improve delivery of educational services in all DJS programs to better prepare students' transition back to their home communities.

- Fewer youth with IQ scores below 70 have been admitted during this quarter. However, occasionally, youth that need educational resources beyond the capacity of the Centers are admitted.

Response: If the monitor will provide specific information (such as name, etc.) when this occurs, the Department will review and take appropriate action.

- **Unabated 30 Days or More:** Vocational training is minimal in the Youth Centers. Because of the vulnerability of youth returning to the community following residential placement, and the ever-present temptations to re-offend, youth should be enrolled in school immediately upon release, have a GED and a job, or a vocational trade skill certification and a job upon release. While the Department has acknowledged that vocational instruction is important, it has not embraced the level of instruction necessary to reduce recidivism by placing trained youth into employment positions upon release.

Response: The youth returning to school are enrolled upon release with the assistance of the Education Transition Unit. Many do obtain their GED and the Department is working to enhance vocational instruction beyond the 3.25 hours received weekly when the teacher is available.

- Communication within the Youth Centers, between the Centers, and Youth Center Headquarters should be improved, as staff report that there is, sometimes, subtle or overt pressure not to voice concerns or express unpopular opinions. It is recommended that each Center be required to have, at a minimum, a monthly staff meeting for the purpose of identifying problems, airing concerns, working through conflicts, and working on teambuilding. An outside consultant should be made available to help insure that the process is constructive in creating a safe environment to air concerns, appropriately address problems, and discuss ideas to help the Centers function more effectively. Additionally, communication between the Centers and Youth Center Headquarters could be enhanced by a process of problem identification and resolution similarly facilitated, so that the process invites feedback, encourages open discussion, and the generation of creative ideas.

Response: Please note in the last quarterly report, the Monitor indicated "*DJS Youth Center Superintendent, Dale Schroyer, has implemented a creative problem identification and resolution process involving Center staff and this monitor.*" The Centers will

continue this process and at the same time, will continue to review the process to improve communication.

- The Department's responses to the Independent Monitor's corrective action plans are sometimes defensive and are not accurate or comprehensive in addressing the issues. The responses should reflect an in-depth, open exploration of the issues and remedies. It is recommended that, in addition to reviewing responses for accuracy and positive exploration, more frequent and regular meetings between the Monitors and DJS officials be scheduled by the Department to help identify problems and solutions in a format that is not as likely perceived as an embarrassment or a threat. Such collaboration could facilitate a more effective process in helping to make continuing positive changes within the Department.

Response: The Department agrees that more frequent and regular meetings between monitors and DJS would facilitate collaboration and improve services to children. The Department will extend an invitation to the monitors to participate in the monthly Facility Administrators meeting to collaborate on current issues.

The **Young Women's Facility of Maryland at Waxter** is a State owned and operated detention/ residential treatment facility located in Laurel, Maryland. The facility houses females under the age of 18 and is comprised of one detention unit and three programming units. The facility is operated under DJS Detention Standards and other DJS policies and procedures.

- **Unabated for 30 Days or More:** Inhumane conditions of overcrowding at the facility continue. Waxter's population normally ranges between 69 – 84 females, but based on the square footage, bathroom facilities, American Correctional Association (ACA) standards, and the Code of Maryland Regulations (COMAR), there should be less than 50 females housed in the facility. The detention/pending placement area averages between 45 and 60 females but has only two toilets, showers and sinks. Again, according to COMAR and ACA, there should be no more than 10 to 16 youth housed in the detention area.

Response: The Department is working to reduce the population thru use of detention alternatives and the Confinement Review Team to help facilitate placement. On 12-1-03, the population was 56.

- **Unabated for 30 Days or More:** DJS must either reduce the facility's population or build a larger facility. Staff and supervisors agree that youth assigned to certain programs should be removed from the facility and placed in other facilities. This would free up area to redistribute the detention/pending placement/secure placement youth throughout the facility.

Response: The Department continues to review options to reduce population. Also, future plans call for a new facility on this site.

- Staff persons complain that there are staffing shortages and they are often forced to work overtime. Staff state that schedules are not adhered to and many staffing changes are made to move staff around due to call-outs, unit reassignments and shortages. This Monitor observed staffing shortages, such as one staff supervising 12 youth. The staff person was overwhelmed with duties and responsibilities trying to care for the safety, security and needs of 12 youth by herself. Staff blamed a lack of sufficient staff for the cause of one youth stabbing another youth in the head with a pencil. DJS must ensure that an adequate number of qualified staff persons are available for duty to ensure the safety and protection of youth and staff.

Response: The facility continues to recruit to ensure vacancies are filled quickly. During November, eight (8) Youth Supervisors began employment. Employee time and attendance are monitored by management. Problem employees are dealt with according to policy.

- There were four escape incidents in less than one month and three of the escape incidents were committed within a one-week period. On August 27, an escape occurred from the facility sally port when youth were being off-loaded at the facility; on September 19, two youth escaped through the side entrance sally port while they were accompanying staff while taking out the trash; on September 24, one youth escaped from the outside recreation area when she was allowed to go to the bathroom unescorted and she snuck through an unlocked gate, scaled the fence to the facility's roof, jumped off and escaped; and on September 26, the same youth that had escaped on August 27 ran out of an unlocked door in the dietary area of the facility. All four incidents appear to have occurred due to staff negligence.

Facility administrators, supervisors and other staff are responsible to ensure that youth do not escape from the facility or cause any other breach of security.

Response: We agree that administrators, supervisors and staff are responsible and accountable to ensure appropriate supervision of youth and security is maintained. Appropriate administrative action taken is taken when staff fail to ensure proper supervision of youth.

- **Unabated for 30 Days or More:** This Monitor observed several teachers' classrooms at the facility and they appeared sincere, dedicated and professional. However, youth must be provided with consistent and varied educational/vocational opportunities. Staff interviews, youth interviews and observations reveal that there were some concerns expressed by teachers that there were not enough vocational-education or recreational opportunities for the youth on a day-to-day basis. There were concerns that there was no typing instruction and computers had been removed from the units due to some vandalism. There may also be opportunities for youth to assist with mowing, gardening, buffing floors, etc. Staff persons advised that there were serious concerns with a lack of vocational training in home economics (food

preparation/checkbook maintenance, etc.), cosmetology training, automotive care, and career training (interview/application processes). Several youth complained that there were no art classes. This Monitor recommends a review of the curriculum for incarcerated youth to include more vocational training and recreational opportunities.

Response: The Department is reviewing the curriculum to enhance vocational training, specifically cosmetology training, and to increase recreational opportunities. Several youth are participating in artistic instruction and display their work on the bulletin boards in the hallways.

- **Unabated for 30 Days or More:** Child abuse, assaults and violent type incidents continue to occur. Child Protective Services had previously indicated one staff for child abuse. This Monitor made verbal notification of this to the facility Superintendent that same evening. Subsequently, this Monitor determined that the staff person had returned to work at the facility. Contact was made with CPS, Waxter and DJS/ICAU to determine why the staff person was still working at the facility after being indicated for abuse. The facility Superintendent did recall this Monitor's information about the staff being indicated for abuse, but she had received no further information from CPS or the State Police to advise that he was indicated or charged with abuse, so he was allowed to return to work. DJS must follow-up on allegations and findings of child abuse incidents to ensure the safety and protection of youth in the care of the Department.

Response: We agree and are working to address these issues via increased programming in the evenings and weekends for youth, increased training of staff as well as increased accountability to properly supervise youth.

- This office is in the process of assisting DJS, the Maryland State Police and the Department of Social Services in establishing a written inter-agency agreement for reporting and investigating child abuse at the Waxter facility in Anne Arundel County as is being drafted for Hickey in Baltimore County. It is recommended that DJS aggressively pursue written interagency response protocols for child abuse in all counties.

Response: Facility Administrators will initiate a collaborative effort to develop interagency response protocols for all jurisdictions.

- On 8/21/03, the writer reviewed medical records and nurses' notes to determine if youth' injuries were being documented, reported and investigated as required. As a result of the review, five cases were identified where injuries or circumstances indicated Child Protective Services should have been notified. This Monitor contacted CPS and they accepted three of the incidents for investigation. The Maryland State Police and DJS/ICAU were also notified. A CPS supervisor advised that two of the accepted cases had never been reported. There were also concerns about youth being injured and no reports were completed. The facility administration

must make child abuse reporting and investigation a top priority. It is suggested that another audit be conducted in the medical section to investigate procedures regarding child abuse documentation and reporting.

Response: We will review procedures with staff. However, it is the opinion of the medical staff that these were youth on youth incidents which are not required by policy to be reported to DSS.

- Several cases were reviewed and it was found that there were situations where the youth' hands were getting caught in the door and injured when doors were closed by staff. Facility staff and supervisors should discuss proper procedures for placing youth in their rooms to avoid getting youth's hands injured when staff pull the door closed.

Response: Managers are directed to ensure proper procedures are reviewed for

placing youth in their rooms.

- Several facility nurses were interviewed and it was determined that:
 - Off-site psychological evaluations are a big problem because some hospitals refuse to interview youth who are handcuffed and/or shackled;
 - A child psychologist should be on-call to evaluate youth who need placement in a hospital for further evaluation/diagnoses;
 - Due to a lack of DJS monies, eye care and dental services are being paid for with an administrator's credit card, and eye care and dental supplies are also deficient;
 - Staff persons are often not available to transport youth to appointments due to shortages, call-outs and irresponsibility;
 - More space is needed for storage, supplies and filing; follow-up resources are needed for colonoscopies;
 - Some staff persons from the units complained that the feminine napkins used by the youth were too bulky and cheaply made. Youth corroborated this concern and also requested bags for appropriate disposal. One youth blamed an infection on the poor quality pads;
 - Some youth complained that there was not enough soap available for taking showers;
 - Some youth complained that youth are not properly deloused before coming on detention.

The health, safety and security of the youth entrusted to DJS care must be a higher priority.

Response: DJS will review the issues and determine an appropriate course of action.

- **Unabated for 30 Days or More:** Some youth still complain about not being visited by their DJS case managers. DJS has been notified when such concerns exist and the

must make child abuse reporting and investigation a top priority. It is suggested that another audit be conducted in the medical section to investigate procedures regarding child abuse documentation and reporting.

Response: We will review procedures with staff. However, it is the opinion of the medical staff that these were youth on youth incidents which are not required by policy to be reported to DSS.

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The health, safety and security of the youth entrusted to DJS care must be a higher priority.

Response: DJS will review the issues and determine an appropriate course of action.

- **Unabated for 30 Days or More:** Some youth still complain about not being visited by their DJS case managers. DJS has been notified when such concerns exist and the

department appears to be responsive to correcting the immediate situation. However, DJS administration and supervision must continue to remind caseworkers of the need to maintain consistent and timely contact with their youth.

Response: All case managers are required by Departmental policy to visit youth at least once a month, or more often if deemed appropriate. DJS Area Directors are holding case managers to these standards by upholding the Performance Planning and Evaluation Program process, by requiring supervisor/case manager case reviews, and by reprimanding case managers/supervisors for non-compliance. Area Directors will be more effective in assuring that case managers are seeing youth if we can provide them with more specific and concrete information such as a case manager's name, office location, etc. With this information, Area Directors can deal with the problem on an individual basis, immediately, and with swift sanctions. A listing of Area Directors by name and office is being distributed to vendors for said purpose.

- This Monitor randomly reviewed several Individual Service Plans and found that they were not being signed and dated as required. The plan also failed to identify certain youth interests that would be key to the establishment of any effective treatment strategy. Individual Service Plans, Treatment Service Plans and Individual Education Plans must be reviewed, updated, accurate, completed and signed as required by policy and procedures.

Response: The Department's Treatment Service Plan policy clearly delineates case manager responsibilities in terms of initiating, developing, and implementing plans for youth while in placement, as well as in the community. All Treatment Service Plans should be equally maintained by both residential (DJJ facilities) and Community Justice case manager staff. Treatment Service Plans are updated at least every ninety days and stored in ASSIST, the Department's youth information system. If there is some question regarding the upkeep of Treatment Service Plans for a particular youth, it will be helpful to provide specific information regarding the youth and DJJ case manager, so that to the Area Director or facility Superintendent (if it is appropriate). In doing so, the information will be forwarded to Area Directors and immediate attention will be given to this matter.

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 Department of Juvenile Services policy and standards and COMAR.

- On October 1, 2003, respite services that were provided by Justice Resources, Incorporated were terminated by Department of Juvenile Services per the contract stipulations. The property, which is owned by DJS, is not scheduled to re-open any time soon. DJS should investigate alternative uses for this valuable resource, especially considering the need of youth in secure detention awaiting placement.

Response: In lieu of out-of-home placement, the Department is currently exploring community based resources and alternatives to detention to enhance services to youth in the community. The Department's goal is to offer services to youth within their respective communities in the least restrictive environment. Respite care is among the different alternatives the Department is seeking to enhance.

- Third floor bathroom renovations were completed.

Response: No comment.

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

- The van that transports food/meals to the other facility (Schaefer House) is not equipped with the appropriate apparatus to maintain meals at required temperature while in transit. This van has been in use during the past few months. This situation must be remedied.

Response: The food is transported in insulated containers however, will have Dietician to review apparatus to determine if corrective action is needed.

Mount Clare House is located on the fringe of downtown Baltimore City. The two-story house facility is owned by the Department of Juvenile Services (DJS). 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 DJS, 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.

- **Unabated for 30 days or more:** The water continues to leak from the kitchen floor to the secretary's office which is located directly below. Remedial action is required.

Response: DJS will review and correct as needed.

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 Services (DJS). It is located in a residential setting in north Baltimore.

- The following physical plant issues remain outstanding: the urinal; and sink and shower stall on the second floor. Remedial action is required.

Response: DJS Facility Maintenance will address and correct this issue.

- Many of the furnishings are in disrepair. New furniture should be acquired to enhance the program.

Response: The day room furniture was recently upholstered. We will look into acquiring additional furniture, as the budget permits.

- **Unabated 30 days or more.** The program's success rate is still unknown. Per the DJS response to previous quarterly report from this Office, the DJS research unit is to address the evaluation of this program. This Office has not been advised if the evaluation has been conducted, and, if so, has not obtained the results of study.

Response: The Department's Research Unit will be advised to provide results of the evaluation once completed.

Catonsville Structured Shelter Care (GUIDE) is a privately operated non-secure facility located on Department of Juvenile Services 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 Services licensing requirements.

- The tree behind the facility poses a safety hazard and should be removed.

Response: This program utilizes leased spaced on the grounds of Spring Grove State Hospital. As such, it is the responsibility of the Department of Health and Mental Hygiene to remove the tree.

- The carpet on the floor shows significant wear and should be replaced.

Response: DJS is currently pricing replacement carpeting. The carpet will be replaced upon budget approval.

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 the current vendor operating this 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 Services (DJS) licensing requirements, Detention Standards and Conduct Standards.

- There have been four escapes and/or security breaches during the past quarter. A special report was submitted in July in reference to an escape attempt on July 1, 2003 that resulted in severe facial injuries to the youth. On July 10, a youth escaped from a Hickey Transportation staff while going to court in Montgomery County. On July 30, a youth escaped from the rear window of a bus that was transporting youth from behind the fence to medical appointments at the infirmary. On September 30, a youth cut a hole in the perimeter fence, gained entry into the grounds of the facility, and tried to break another youth out of Jefferson Hall. Each incident reportedly involved staff negligence. Facility administrators, supervisors and other staff are responsible to ensure that youth do not escape from the facility or cause any other breach of security.

Response: No Response Provided by DJS

- **Unabated for 30 Days or More:** The facility has been unable to stem the flow of assault/use of force incidents. These problems continue, although DJS has increased its number of assigned investigators to 3 and has enhanced its monitoring, and CPS has devoted 5 investigators to Hickey. Faulty door locks, understaffing, a lack of structured programming, an overworked staff, and a poor quality of staff have all contributed to the steady stream of assault/use of force type incidents that continue to occur. Reported assault incidents were reduced in August, but they rose again in September. When comparing data from 2002 to 2003, it appears that the trend is for reported incidents to decrease in August due to seasonal variations. It is concerning that the reported number of assault incidents for August and September of 2002 totaled 107, while the same period for 2003 totals 129. Reported assaults/use of force incidents have remained at 2.5 per day. DJS must consider alternatives to placing detained and adjudicated youth at the Hickey School.

Response: No Response Provided by DJS

- DJS, Child Protective Services (CPS), the Maryland State Police (MSP), the Baltimore County States Attorney's Office and this Office have drafted an interagency agreement to address the issues of reporting and investigating child abuse/assault incidents. However, there is still a concern with cooperation between DJS and the State Police. It is strongly recommended that the DJS Office of Professional Responsibility and Accountability make a stronger effort to coordinate meetings with local State Police investigators to ensure cooperation and a unified effort towards responding to and investigating incidents of mutual concern.

Response: An Interagency Agreement has been drafted, reviewed by the Attorney General's Office and signed by the DJS Secretary.

- Investigations conducted by the DJS Investigations and Child Advocacy Unit must be thorough and complete. There have been numerous incidents of assault and questionable staff activities that have not been investigated due to the overwhelming number of reported incidents. DJS and Hickey must establish a more proactive

procedure to deal with this violence and cases must be screened more thoroughly to determine follow-up actions.

Response: Disagree. The Assistant Secretary of OPRA is satisfied with the quality and thoroughness of investigations.

- The Incident Report Database for DJS is sometimes inaccurate and/or has not been updated. DJS must provide sufficient manpower and resources to update its Investigation and Child Advocacy databases and keep them accurate. DJS should also consider evaluating its Incident Reporting process to reduce the number of reported incidents that are minor or trivial in nature.

Response: The incident data base is consistently being reviewed and monitored to improve the quality of information being entered and retrieved.

- Although DJS has reportedly contacted the medical personnel at Hickey and requested that nurses report all injuries to the local DJS/ICAU investigators for verification of the submission of the necessary Incident Reports, it is recommended further that nurses be reminded of their duties to recognize and report any suspected abuse or neglect incidents to Child Protective Services.

Response: Nurse licenses require them to report all child abuse cases, as well as follow DJS policies per contract

- The facility should consider installing video surveillance cameras to monitor the common areas on the units. It is also recommended that agencies determine better methods of handling investigations such as undercover operatives, use of informants, hidden cameras, etc.

Response: The facility will review recommendations regarding video cameras being placed in common areas and get cost estimates to determine financial feasibility.

- On July 18, investigators from DJS, CPS and the State Police attended an overview session of the crisis intervention/restraint training Hickey provides for its staff. Participants learned that staff persons are supposed to apply prevention and crisis intervention techniques that normally stop short of a physical restraint, but the DJS training coordinator questioned the actual restraint techniques. She felt there were safer and more effective methods of restraint available. Hickey's restraint training techniques need to be re-evaluated by the DJS training staff to determine if they are effective and if they meet current safety standards. It is also recommended that all DJS investigators and advocates assigned to Hickey attend an overview session of the Hickey crisis intervention/restraint procedures.

Response: The investigators at Charles Hickey School attended the training.

- **Unabated for 30 days or more:** There continue to be problems with youth bringing illegal contraband into the facility. One incident described a youth setting his

mattress on fire and another found a youth in his room writing on the walls with a pen. Youth, their rooms, and their belongings must be searched thoroughly for contraband after visits and whenever staff persons are suspicious of illegal contraband

Response: The facility has a regular practice of searching youth and program areas for contraband. This procedure will be reinforced.

- **Unabated for 30 days or more:** The facility continues to ignore previous warnings about the dangers of exposed sprinkler heads in seclusion rooms. The eight rooms being used for seclusion do not have suicide proof collars on the sprinkler heads although this matter has been repeatedly cited by this Office.

Response: The facility will be directed to provide suicide proof collars on the sprinkler heads.

- **Unabated for 30 Days or More:** The seclusion area of the facility has been painted and staff appear more attentive to the needs of the youth on seclusion. However, the area is still unsafe and dangerous if staff attempts to handle new intakes and youth in seclusion at the same time. The facility should still consider building a separate area for intake youth.

Response: This is a budget issue concerning new construction. However, facility will take recommendation under advisement.

- **Unabated for 30 Days or More:** Youth are still being left in seclusion for longer than necessary. Youth should not remain in seclusion for any longer than necessary to prevent them from escaping, injuring themselves or injuring someone else. Seclusion must not be used for punishment and its use must be in compliance with applicable COMAR regulations.

Response: DJS will review practices not in keeping with COMAR and make the necessary corrections when specific cases can be cited.

- **Unabated for 30 Days or More:** The seclusion logs and room check sheets are not consistently being properly filled out.

Response: DJS has directed the facility based monitors to review this procedure of entries to ensure compliance.

- This Monitor conducted interviews with educational staff persons and made observations in several classrooms. All youth were not engaged in participating, as they should have been. Several were just playing cards or listening to their headphones. Teacher interviews resulted in the following comments:
 - The youth need a curriculum that is stronger in vocational training and the basics of reading, writing and math.
 - Direct Care staff persons are often allowed to sleep when assigned to work at the school because they are working too many hours.

- The teacher has observed that staff appear much more in control recently and they are being more patient with the youth.

Youth must be kept active and engaged while in the classroom. Direct Care staff should be present and awake at all times

Response: The Department is aware of these problems at Hickey School. Department staff is working with Hickey to address issues cited. We too have cited Hickey School on many of these same issues. We are unclear as to which school at Hickey you are referring. As you may be aware, MSDE is scheduled to take over education at Hickey on July 1, 2004. Teacher turnover and vacancies has always and continues to be a problem at this facility.

- **Unabated for 30 Days or More:** Vocational programming has been stymied due to the process of removing of asbestos in the voc-tech areas and the relocation of classes pending completion of the project. There still appears to be an overall lack of resources for effective vocational programs for all youth. Very few youth take advantage of the Horse Program and all youth should be consistently engaged throughout the day to participate in vocational, educational and recreational activities.

Response: DJS staff are working with Hickey to address issues identified.

- **Unabated for 30 Days or More:** Facility maintenance continues to lag behind expected standards of safety. New door locks for one detention unit have reportedly been ordered but there are also problems with the door locks on several other units. Outside pole lights on the facility grounds, in the area between detention and enhanced programming, remain inoperative. Ceiling vents have not been replaced to prevent suicide attempts. On September 7, a youth tied a sheet around the ceiling vent inside his room, but fortunately a staff discovered the sheet in the vent and was able to remove it. The lack of suicide proof vents has been consistently cited by this Office over the course of the last three years and this matter has yet to be corrected.

Response: These maintenance concerns are addressed in the Hickey Corrective Action. The Department Maintenance Unit conducted an assessment of the vents and cost estimates to replace the vents (\$330,000) and have identified a possible funding source to replace the vents.

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 (TLC) houses 7 more.

- There have been recent problems with staff persons with questionable histories working at the facility. One staff was recently arrested for attempted murder and he had a criminal record for possession of drugs in 1995 – 1996. Another staff person with a questionable criminal history was hired by TOYC and subsequently charged with sexually abusing a youth 3 weeks later. Direct care staff persons have a

significant impact on the lives of the youth they supervise and they must be carefully scrutinized for past criminal and social histories prior to hiring.

Response: This will be reviewed and specific direction will be re-emphasized to the vendor based on the existing contract requirements on hiring staff.

- A seventeen-year-old youth under the care and custody of DJS and placed at TOYC was sexually assaulted by a direct care employee of TOYC during a private meeting between the staff and youth. After conducting a comprehensive investigation, CPS indicated the staff person for abuse and the MSP has placed criminal charges against the staff person for sexual assault and child abuse. The staff had only been working at the facility for several weeks before the offense occurred. It was subsequently determined that the alleged perpetrator had an extensive criminal history including an arrest and incarceration for assault and resisting arrest. There were also numerous violations for fraud, burglary, breaking and entering and unauthorized use. The staff person should not have been hired due to his past criminal history, but existing TOYC hiring procedures did not specifically prevent the staff from being hired. TOYC does not currently fall under the purview of the Maryland Correctional Training Commission guidelines but the facility is still responsible through COMAR to hire staff who are of good moral character. TOYC is reportedly in the process of redeveloping hiring guidelines and procedures.

It was also determined that the victim youth had a past charge for a sex offense in Baltimore County and he may not have been appropriate for placement at TOYC. DJS investigators, DJS supervisors and facility administrators pursued the question of inappropriate placement of the youth and found that the youth's placement at the facility was indeed appropriate.

There were also concerns that the newly hired staff was allowed to be alone with the youth prior to completion of his CPS and criminal background investigations.

Although the facility and DJS have responded swiftly and appropriately to terminate the offender's relationship with TOYC and are developing more stringent hiring guidelines, the staff should not have been allowed to be alone with the youth. TOYC administrators must ensure that youth are kept safe and protected from abuse and/or neglect at all times. The DJS incident report indicates that the case was closed with no finding, but DJS must consider the failure of the administration and supervision to protect the youth's safety.

Response: DJS will re-emphasize to the facility that the ultimate responsibility rests with Administration/Management to ensure youth are safe.

- **Unabated for 30 Days or More:** Youth continue to complain to this Monitor that their DJS case managers are not visiting them. According to the youth and staff, one youth had been there for 6 months and his case manager visited him twice. Another youth said he had not seen his case manager in two months. DJS has indicated that the assigned case manager is only required to visit a youth once a month unless there

is a crisis or other need. DJS has also advised that the institutional case manager is the youth's primary worker while the youth is in placement. DJS reports that a policy addressing this issue is in draft form. However, this Monitor feels that the link between the youth and his field case manager is one of the most vital links in the system. The case manager is, or should be, thoroughly familiar with the youth's history, family situation, and other nuances based on historical contact with the youth and his neighborhood.

Response: All case managers all required by Departmental policy to visit youth at least once a month, or more often if deemed appropriate. DJS Area Directors are holding case managers to these standards by upholding the Performance Planning and Evaluation Program process, by requiring supervisor/case manager case reviews, and by reprimanding case managers/supervisors for non-compliance. Area Directors will be more effective in assuring that case managers are seeing youth if we can provide them with more specific and concrete information such as a case manager's name, office location, etc. With this information, Area Directors can deal with the problem on an individual basis, immediately, and with swift a sanction. A listing of Area Directors by name and office is being distributed to vendors for said purpose.

- **Unabated for 30 Days or More:** There are ongoing concerns relative to the repair and/or replacement of air conditioners and an emergency generator. There are also concerns about the repair of the driveway and an outbuilding at the TLC.

Response: Funding availability will be reviewed.

- This Monitor has observed that the maintenance of the facility appears to be declining. Potholes need repair in the parking lot and behind the kitchen; grass was either not mowed or was mowed with a significant number of large clumps on the lawn; weeds were seen growing around the trees, trailers and outbuildings; the existing flowerbeds and pond area need to be cleared of weeds and debris; the existing sign at the entrance of the facility needs repair or replacement; and youth at the Transitional Living Continuum building off grounds may be endangered by a very large groundhog on the grounds. A well-maintained and attractive facility is synonymous with a sense of self-respect and responsibility. DJS and the facility must also meet the facility's physical needs for the, safety and health of the residents and staff.

Response: DJS will review the maintenance needs and funding available for repairs. The facility has an on-campus resident work program recently reviewed, wherein youth work closely with maintenance department in the area of grounds keeping.

- **Unabated for 30 Days or More:** The diversity of recreation and programming on a daily basis is not adequate. Some hands-on vocational training is needed. Youth could help with grounds maintenance and even compete for prizes with planting flowers or building/repairing projects.

Response: As mentioned above, the facility has an on-campus resident work program that includes grounds maintenance, gardening, etc.

The **Sykesville Shelter Group Home** is a privately run structured shelter care home located on state property. The facility houses up to 10 females, but due to space limitations, only 8 females can be housed comfortably.

- **Unabated for 30 Days or More:** The administrators and clinicians advised that there are still some problems with DJS caseworkers providing sufficient information at intake. DJS caseworkers must provide facilities with as much information as possible to meet the youth's needs consistent with COMAR and DJS regulations. The information is also essential for the facility to determine if a youth is acceptable to the program.

Response: The Department has policies that dictate the requirements for admissions into a particular program. The Area Directors have been directed to hold individuals accountable through performance measures. Non compliance with this process will not be tolerated. However, problems need to be reported with specific information such as a worker's name, office location, etc, so that it can be handled expeditiously. Essentially, if a facility does not receive appropriate documents at intake for a particular youth, then the facility should notify the field office immediately. If after that point the information is still unattainable, then the facility should notify an appropriate Area Director. A listing of Area Directors by name and office is being distributed to vendors for said purpose.

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).

- The Assistant Director was terminated after a sexual abuse allegation with a shelter youth.

Response: The Department will not tolerate any abuse of youth.

- A transportation officer left a female youth from the shelter alone with a boy. The girl later admitted to shelter staff that she engaged in a sexual act on the boy while in the van.

Response: A completed investigation was conducted and the appropriate administration and corrective action was implemented.

- Shelter care programs are required to integrate the program with the community, as appropriate, so that the youth have opportunities to participate in community

activities. The facility failed to prepare and follow an activity schedule for the summer program. The schedule was not completed until September.

Response: Follow-up with the program director by DJS is planned.

- This Office understands that the contract with the vendor for this program has been terminated effective January 10, 2004. While we do not question the Department's decision to terminate its agreement with the vendor, the building presents a valuable resource for the Eastern Shore. The need for continued shelter programming or a group home should be considered for this structure.

Response: The Department is giving consideration to the best use for this structure. In lieu of out-of-home placement, the Department is currently exploring community based resources and alternatives to detention to enhance services to youth in the community. The Department's goal is to offer services to youth within their respective communities in the least restrictive environment.

Specifically, the Area Director for the Eastern Shore is currently developing an alternative to detention proposal which includes foster care, electronic monitoring, shelter care, and wrap-around services, and purchasing per diem beds from existing vendors.

- **Unabated for 30 days or More:** The vendor is required to provide adequate training to its staff in accordance with DJS policy and procedure. The administration was researching additional staff training through MCTC but OIM has not learned of the outcome.

Response: DJS will follow-up on status of staff training.

- **Unabated for 30 Days or More:** Although youth have only been assisting with breakfast preparation on the weekends since 2002, preparation of all meals could serve as a valuable life skill.

Response: DJS will review this recommendation with vendor.

- **Unabated for 30 days or More:** Youth with "non-community residential" court orders continue to be placed in the shelter by field service workers. All known pertinent information about the youth has not been given to the shelter staff during the intake process resulting in the youth's special needs not being met.

Response: The Department has policies that dictate the requirements for admissions into a particular program. The Area Directors have been directed to hold individuals accountable through performance measures. Non compliance with this process will not be tolerated. However, problems need to be reported with specific information such as a worker's name, office location, etc, so that it can be handled expeditiously. Essentially, if a facility does not receive appropriate documents at intake for a particular youth, then the facility should notify the field office immediately. If after that point the information is

still unattainable, then the facility should notify an appropriate Area Director. A listing of Area Directors by name and office is being distributed to vendors for said purpose.

- **Unabated for 30 days or More:** Plans to hire a full time licensed clinical social worker (LCSW) in April were not followed through.

Response: DJS will review the feasibility of hiring a social worker at this point, given the facility will close in January, 2004.

- **Unabated for 30 days or More:** The facility administrative assistant continues to provide case management services to the youth.

Response: DJS will review the feasibility of hiring a case manager at this point, given the facility will close in January, 2004.

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 Service's Detention Standards and other DJS 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 facility's superintendent was transferred to the new Lower Eastern Shore Children's Center. The facility's director of group life was promoted to superintendent.

Response: The Carter Facility Administrator was reassigned to the Lower Eastern Shore Children's Center as the Acting Superintendent, while the Director of Group Life at Carter is currently Acting Facility Administrator.

- The direct care staff works closely with the mental health clinicians and medical staff. The facility has a full time mental health worker, 2 full time juvenile counselors, a full time addictions counselor to provide enhanced programming and case management. The facility lost its full time social worker and a special education teacher in June.

Response: DJS is actively recruiting for a social worker and a special education teacher will commence employment December 10, 2003.

- **Unabated for 30 Days or More:** The facility was designed to house 15 youth at single capacity but often sleeps 30 - 37 youth at double capacity. When the facility is overcrowded, staff must house the youth in bedrooms sleeping three to four residents

at a time. When rooms are overcrowded, staff cannot provide adequate supervision while monitoring so many youth at one time.

Response: The population of Carter Facility has been reduced with the opening of the Lower Eastern Shore Children's Center on November 10, 2003.

- **Unabated for 30 Days or More:** 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. Directives issued to Area Directors by the Department have not resolved the problems and continue to be an issue.

Response: All case managers all required by Departmental policy to visit youth at least once a month, or more often if deemed appropriate. DJS Area Directors are holding case managers to these standards by upholding the Performance Planning and Evaluation Program process, by requiring supervisor/case manager case reviews, and by reprimanding case managers/supervisors for non-compliance. Area Directors will be more effective in assuring that case managers are seeing youth if we can provide them with more specific and concrete information such as a case manager's name, office location, etc. With this information, Area Directors can deal with the problem on an individual basis, immediately, and with swift a sanction. A listing of Area Directors by name and office is being distributed to facilities for said purpose.

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. DJS's Detention Standards, the Standards of Conduct and other DJS policies and regulations guide and direct the operation of the facility.

- Some of the youth are still not receiving sufficient education services. The facility has no written documentation substantiating the students have received required instructional time.

Response: The Educational Services Unit does not agree with the monitor's statement. On Monday, Tuesday, Thursday and Friday, youth receive 5 hours of classroom instruction. On Wednesdays, which is release day, they receive 3 hours of instruction. Schedules are available in every teacher's classroom. A master schedule is available in the office.

- The full time Recreation Specialist ensures youth receive adequate recreational activities.

Response: No Comment.

- In July, a youth on suicide watch overdosed on his medication due to lack of supervision by group life and medical staff.

Response: A comprehensive investigation was conducted and the appropriate administrative actions enacted, inclusive of revising supervision and monitoring procedures for group life and medical staff during administering of medication.

- On September 26th, three youth successfully escaped from the facility through two unlocked gates in the recreation yard as their unit was walking to the school building. Administrative and staff negligence were the cause of the escape. One youth was apprehended within minutes of the escape and police apprehended the second youth three weeks later. Facility staff turned away the third youth when he attempted to turn himself in on October 16th. A sheriff's deputy apprehended the youth on October 23rd.

Response: Administrative and corrective actions have been enacted. The third youth (who escaped) created a safety and security risk for the facility by returning after midnight, appearing under the influence. Law enforcement was immediately contacted.

- **Unabated for 30 Days or More:** Adjudicated youth continue to be housed at the facility for longer than 30 days. Some youth state that physical altercations within the facility stem from those youth who are on pending placement status for extended periods of time.

Response: The Department has developed a Confinement Review Unit (CRU) whose sole purpose is to reduce the inappropriate and unnecessary use of detention and expedite placement for committed youth. The coordinator for this program will be made aware of these concerns and the case manager and social worker assigned to this center will be held accountable through the use of performance measures.

- **Unabated for 30 Days or More:** A large amount of mildew buildup remains in a shower at the facility and there is a very foul odor in the bathroom.

Response: All showers will be thoroughly cleaned and sanitized

The **Cheltenham Youth Facility (CYF)** is a state owned and operated facility located in Cheltenham, Maryland. The facility is comprised of six detention units and one shelter. The facility operates under the DJS Detention Standards and other DJS policies and procedures.

- One staff member was charged with assaulting a youth while he was handcuffed and is awaiting his court hearing. And a BJJC staff member was terminated for slapping a CYF youth across the face.

Response: The Department does not tolerate any abuse of youth. Any staff found guilty of child abuse or assault is terminated.

- In September, a youth alleged that he was forced by three youth to perform a sexual act while being held down.

Response: A comprehensive investigation was conducted and the appropriate administrative and correction actions were enacted.

- In September and early October, four separate escape attempts occurred.

Response: Staff are required to respond swiftly and efficiently to the impulsive behaviors of youth.

- **Unabated for 30 Days or More:** The facility was designed to house up to 160 males but currently houses approximately 220 males between ages 12 and 18. This population includes a high number of Baltimore City youth and contributes to violent/physical altercations against youth from other jurisdictions. The opening of the Baltimore City Juvenile Justice Center (BCJJC) will help to alleviate these issues but the continued postponement of the opening may result in more youth and staff injuries. DJJ's response to the prior quarterly report indicated that the BCJJC will open in the late summer/early fall of this year. To date, the facility still has not opened and the over population of this facility creates serious life, health, and safety issues. Interim action is required that will actually reduce the number of youth held in this facility.

Response: BCJJC commenced accepting youth October 30, 2003. The population at CYF on 12-03-03 is one hundred forty (140).

- **Unabated for 30 Days or More:** CYF continues to have many documented group disturbances within the detention units. Several group disturbances have also occurred in the dining hall and outside of the units. Inadequate staffing levels, under-trained staff, and the lack of adequate programming have been major contributing factors. At times, units containing at least 35 – 45 boys are staffed with only one full time CYF staff and 2 or 3 probation officers working overtime within the facility during weekend and evening hours. Employees hired in September 2002 to work at BCJJC had been detailed to Cheltenham to provide staffing coverage. As of September 30th, all BJJC staff have been transferred back to Baltimore. To date, staffing remains at a low.

Response: The population at CYF has been significantly reduced and Whyte Cottage (CPO) was closed on November 18, 2003. The staff of Whyte Cottage have been infused into other cottages to enhance staffing.

- **Unabated for 30 Days or More:** Although this office cited the under-reporting of incidents at this facility dating back to January 2002 and during the last two quarterly reports, a review of facility logbooks and incident reports indicates the problem continues. Previous corrective action proposed by DJS has failed to adequately remedy this matter. This office continues to find incidents that are not documented in

accordance with DJS procedure. The DJS Incident Reporting System, therefore, underestimates the true incidence of occurrences within this facility. This Office remains concerned regarding the level of violence in this facility and the safety of both youth and staff. The accurate accounting of such incidents, as required by DJS policy and procedure, is the first step in determining the degree of this problem.

Response: Corrective action has been implemented to ensure the Facility Administrator actively monitor compliance with the incident reporting process.

- **Unabated for 30 Days or More:** 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. These conditions will continue until the BCJJC is opened and should be monitored once the Baltimore City youth are transferred out.

Response: The individual space allocation has been enhanced with the significant reduction in population.

- **Unabated for 30 Days or More:** 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 ongoing training in dealing with mental health issues amongst the youth and appropriate crisis intervention. While MCTC regulations only require 18 hours of in-service approved training per year, the number of riots, physical assaults, suicidal behavior, and youth secluded on the units should prove the need for additional hours.

Response: Overtime is being reduced and training hours are being increased. A training needs assessment will be conducted.

- **Unabated for 30 Days or More:** The facility lacks an enhanced evening program. More services are needed to meet the vocational, education, recreational and spiritual needs of the youth. Although juvenile counselors implemented an evening program as well as daily case management for the youth, more adequate programs are needed.

Response: The evening and weekend programming will continue to be enhanced.

- **Unabated for 30 Days or More:** The facility's Community Advisory Board continues to meet monthly, however attendance has dropped significantly. Board members complain about the lack of action they see.

Response: The Facility Administrator met with a concerned Board member to discuss methods of re-energizing the Advisory Board.

The **Hagerstown Holdover Center** has been closed since August 28th, 2003. Staff from the facility have moved into their new positions at the Western Maryland Children's Center.

Response: No Comment.

The **Western Maryland Children's Center** opened its first pod of twelve beds on September 2, 2003. The entire facility is scheduled to open by December 1st and will house twenty-four youth in three pods - one twelve bed, and two six bed units. A ribbon cutting ceremony was held on September 24th. Governor Ehrlich, and Secretary Montague, along with other DJS officials addressed the gathering of invited guests and toured the facility. Assistant Superintendent Bob McKelvie stated that "the Western Maryland Children's Center is a process, not a place". This positive tone has characterized the effort that has gone into preparing the facility to serve youth. Some of the fixtures in the facility are not suicide proof or constructed of the state of the art stainless steel. This was done ostensibly to create a more "home like" feeling, but in the opinion of the Office of the Independent Monitor, these fixtures create a safety concern.

- Vitreous china fixtures are still present in the youth sleeping rooms and bathrooms used by youth. Documentation that this material is safe has not been presented. Use of vitreous china could pose a potential danger to youth and to staff if broken. These fixtures should be replaced with stainless steel suicide proof upgrades.

Response: The bathroom fixtures in place provides a more home like environment for youth and was a policy decision by DJS highest level of decision making. The philosophy of DJS to provide a more normalized environment to impact changing youth behavior is the reason for vitreous china fixtures. Research from other states (such as Chicago) that utilized vitreous china had no significant problems.

- The sink faucets and handles could be used to make a weapon or to attempt a suicide. Along with the replacements recommended above, the handles and faucets should be replaced with suicide proof fixtures.

Response: Same as above.

- The beds used in the facility have holes and posts that could be used to attempt or complete a suicide and should be replaced.

Response: DJS will review to determine appropriate action.

- The desks in the sleeping rooms have swing out seats that could also be used to attempt or complete a suicide. The desks and seats should either be removed or replaced with suicide proof furniture.

Response: DJS will review recommendation to determine appropriate action.

- The exposed plumbing in the youth sleeping rooms has been made secure with the installation of a metal covering under the sinks. However, the other bathrooms used

by youth continue to have exposed plumbing that could be damaged or used by youth to make a weapon. Metal coverings should likewise be installed in these bathrooms.

Response: DJS will install metal covering in the other bathrooms.