



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

1st QUARTER, 2010 REPORTS



MARLANA R. VALDEZ
Director

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

June 1, 2010

The Honorable Thomas V. Miller, Jr., President of the Senate
Maryland General Assembly, H107 State House
Annapolis, MD 21401

The Honorable Michael E. Busch, Speaker of the House
Maryland General Assembly, H101 State House
Annapolis, MD 21401

The Honorable Donald DeVore, Secretary
Department of Juvenile Services, One Center Plaza, 120 West Fayette Street
Baltimore, Maryland 21201

Rosemary King Johnston, Executive Director
Governor's Office for Children, Office of the Governor
301 W. Preston Street, Suite 1502
Baltimore, MD 21201

Members of the State Advisory Board on Juvenile Services
c/o Department of Juvenile Services, One Center Plaza, 120 West Fayette Street
Baltimore, Maryland 21201

Dear Mr. President, Mr. Speaker, Sec. DeVore, Ms. Johnston, and State Advisory Board Members:

Enclosed please find the most recent Quarterly Reports from the Juvenile Justice Monitoring Unit (JJMU) of the Office of the Attorney General. This report covers the First Quarter of 2010, from January 1 – March 31, 2010. The Department of Juvenile Services (DJS) Response is also included.

I would be pleased to answer any questions you may have about these reports. I can be reached by email at mvaldez@oag.state.md.us and by phone at 410-576-6953 (o) or 301-257-5399 (c). All reports of the Juvenile Justice Monitoring Unit are also available on our website at www.oag.state.md.us/jjmu.

I look forward to continuing to work with you to enhance programs and services provided to the youth of Maryland.

Respectfully submitted,

Marlana Valdez

Marlana R. Valdez
Director
Juvenile Justice Monitoring Unit

Cc: The Honorable James Brochin, Maryland State Senate
The Honorable Joan Carter Conway, Maryland State Senate
The Honorable Brian Frosh, Maryland State Senate
The Honorable Nancy Jacobs, Maryland State Senate
The Honorable Edward Kasemeyer, Maryland State Senate
The Honorable Delores Kelly, Maryland State Senate
The Honorable Nancy King, Maryland State Senate
The Honorable C. Anthony Muse, Maryland State Senate
The Honorable Robert A. Zirkin, Maryland State Senate
The Honorable Kathleen Dumais, Maryland House of Delegates
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The Honorable Ana Sol Gutierrez, Maryland House of Delegates
The Honorable Susan Lee, Maryland House of Delegates
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The Honorable Anthony J. O'Donnell, Maryland House of Delegates
The Honorable Victor Ramirez, Maryland House of Delegates
The Honorable Luiz R.S. Simmons, Maryland House of Delegates
The Honorable Nancy Stocksdales, Maryland House of Delegates
The Honorable Joseph Vallario, Maryland House of Delegates
The Honorable Jeff Waldstreicher, Maryland House of Delegates
The Honorable Nancy Kopp, Treasurer's Office
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JUVENILE JUSTICE MONITORING UNIT

FACILITY REPORT
ALLEGANY COUNTY GIRLS GROUP HOME
JANUARY – MARCH, 2010

Facility: Allegany County Girls Group Home
10700 Leslie Lane
P.O. Box 116
Cumberland, Maryland 21502
Administrator: Jennifer Younker LCSW-C

Date of Visit: February 24, 2010

Reported by: Marlana Valdez

Persons Interviewed: Program Director, Program Manager, Direct Care Staff, and Youth

Date of Report: May 2010

INTRODUCTION

The Cumberland Maryland YMCA operates the Allegany County Girls Group Home. The facility is located in Cumberland, Maryland on property owned by the Department of Juvenile Services. DJS licenses the group home to serve nine female residents ages 13-18.

The program's mission is to "provide a safe, healthy, home environment" for girls that emphasizes the skills and values they need to "ensure a successful transition (back) into the community."

SUMMARY OF CRITICAL FINDINGS

- Increasing numbers of girls with serious mental health issues are being referred to the program, stretching staff and programmatic resources.
- Staff and youth files are exceptionally comprehensive and well-organized, and each youth in the program has an individualized and appropriate Treatment Service Plan.
- The program's financial situation is precarious. Additional budgetary support from the YMCA, Allegany's parent organization, or other sources is sorely needed to hire additional staff and maintain services at current levels.

FINDINGS

1. Population

The average population for the 1st quarter was seven girls. The average length of stay was 245.79 days.

Increasingly, girls admitted to the program have serious mental health issues. At the time of writing of this report, eight of the nine girls in residence had been diagnosed with Bi-Polar Disorder. While Allegany was not established as a program for youth with serious mental health issues, Administrators report that their only choices are to accept youth with serious mental health issues or close the program for lack of referrals.

Allegany unsuccessfully discharged three youth this quarter because of AWOL or suicidal behaviors, and at the time of writing of this report, two youth had been temporarily placed in hospital psychiatric units.

As the program's population changes, staff are beginning to explore programmatic and physical plant changes that may be necessary to appropriately serve girls with serious mental illness.

2. Staffing

a. Administration

The facility has a strong staff team including Administrator Jenifer Younker, who is a licensed clinical social worker (LCSW-C), and Antoinette Allen, the Program Manager. Together with Diane Markwood, the Education Coordinator and Betsy Swindell, the Service Coordinator, leadership at the facility infuse the environment with energy and effort to enhance the lives of girls in the program. However, management does express that it is difficult to keep staff because of their need to seek higher paying employment offering benefits. Starting salary for direct care workers is only \$8/hour.

Unfortunately, the special needs of girls referred to the program recently are stretching staff resources beyond their limits, demanding more intensive supervision than current staffing patterns allow. Program leadership has worked many overtime hours to provide additional levels of supervision, but more staff should be hired immediately.

Hiring additional staff will require an infusion of funding from Allegany's parent organization, the YMCA, or funding from other sources.

During a monitoring visit, two staff files were chosen at random to review. They were exceptionally well-organized and included all necessary child protective services and criminal clearances, evidence of medical exams, and driving records.

b. Staff Training

Jenifer Younker and Antoinette Allen are both instructors in the behavioral and crisis intervention training offered by Tact II. All current staff is trained as required.

A staff recognition dinner and teambuilding session were held this quarter.

3. Safety and Security

a. Aggregate Incidents

There were a total of 14 incident reports filed during the 1st quarter.

Incident Categories	1st Quarter 2010
AWOL of youths	5
Alleged inappropriate conduct by youth	3
Suicide Ideation, Gesture, Attempt or Behavior	1 ¹
Other	5

Following one AWOL this quarter, staff found a rope made from clothesline tied to the outside steps. One of the AWOLing youth said she had planned to hang herself. Staff immediately discontinued the use of clothesline in the facility, but this is illustrative of the adjustments staff are forced to make as they deal with the shift in treatment and safety needs of girls in the program.

b. Behavior Management Plan

ACGGH utilizes a color-coded 4-level model. At each level, youth earn more privileges and are expected to assume more responsibility. Residents earn home passes as they progress. When the resident attains the highest level, staff begin implementing the discharge plan.

Staff maintain a resident behavioral check sheet for each shift, a youth location form noted at half hour increments, and a daily shift report summary.

Youth interviewed understood the behavior management plan and both positive and negative incentives connected to it.

4. Physical Plant and Basic Services

a. Physical Plant

The ACGGH youth and staff members work together to keep the house and grounds clean. Upon this Monitor’s inspection, the home was clean and orderly.

The home includes a comfortable basement game room that includes two computers.

During the February blizzard, the home lost power, and the entire group was moved to a local Fairfield Inn overnight. The Inn allowed them to stay an extra night without charge – staff and youth were very grateful to the Inn for the weekend trip. The power outage was repaired within 24 hours.

¹ Does not include a suicide ideation, gesture, attempt or behavior associated with an AWOL on March 28, 2010.

b. Basic Services

Youth and staff have their meals together and staff members eat the same foods as the residents. Most youth complained about the repetitiveness of the State-required menus. Some of the required menus include meals such as Hamburger Helper, and according to staff, they are not allowed to vary from that meal by, for example, substituting turkey or tofu, or another meal with similar nutritional values.

Applicable Standard

COMAR 14.31.06.07 C. (1) (The licensee shall) maintain all structures and grounds in good condition, free from health or safety hazards.

5. Education

Diane Markwood, Educational Coordinator, maintains contact with the various public schools that the youth attend. At the time of this Monitor's visit, five youth were attending regular public school or GED programs. Two additional girls were attending alternative schools.

6. Rehabilitative and Recreational Programming

a. Therapeutic Program

Therapeutic staff and direct care conduct special groups through the week including anger management, life skills, abstinence, and self-esteem development. In addition, youth and staff hold "issues" groups each evening to help residents work through relational concerns within the group home.

During a monitoring visit, two youth files were chosen at random to evaluate. Similar to staff files, they were unusually well organized and complete. All parental permissions were on file, each girl had an individualized Safe Environment Plan and a Treatment Service Plan. All files included comprehensive progress notes as well.

b. Recreational Program

At school, the youth attend gym classes. Additionally ACGGH staff members take the girls to the YMCA a minimum of 3 times a week for swimming, basketball, and/or aerobics workout. ACGGH has had to limit off campus trips and activities because of the budget crisis.

ACGGH holds conferences with youth and parents as needed, and residents can earn home passes as they make progress in treatment. Youth make regular phone calls to parents and/or caregivers.

7. Medical and Behavioral Health

a. Basic Medical Services

Community practitioners provide medical services to ACGGH youth. ACGGH has an on-call nurse. During a monitoring visit, all medications were found to be appropriately locked and stored.

b. Mental Health Services

ACGGH utilizes community-based professionals to provide individualized mental health services for the residents. Jennifer Younker (LCSW-C) oversees the treatment programming in the group home and signs off on the Treatment Service plans.

8. Youth Advocacy, Internal Monitoring and Investigation

a. Youth Advocacy

The DJS Child Advocate makes regular visits to ACGGH and addresses grievances as they arise. Girls interviewed said they are allowed to call their attorneys or Community Case Managers whenever they wish. Two girls reported that visits from their Community Case Managers, however, are irregular.

b. Internal Monitoring

A Department of Juvenile Services Program Evaluator visited the program on January 15 and February 2, 2010. During the first visit youth records, staff training, child abuse procedures, employee records and personnel administration were examined. The program was found to be in full compliance in all areas except youth records – one youth's file was missing a court record.

During the February 2 visit, the student handbook and orientation process and health care were evaluated. The program was found to be in full compliance in all areas.

RECOMMENDATION

1. If the program continues to accept girls with serious mental health issues, additional staff must be hired to provide more intensive supervision.



MARLANA R. VALDEZ
Director

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JUVENILE JUSTICE MONITORING UNIT

FACILITY REPORT
AUNT CC'S HARBOR HOUSE
JANUARY – MARCH, 2010

Facility: Aunt CC's Harbor House
1031 East Monument Street
Baltimore, MD 21202
Administrator: Donald Barrett

Dates of Visits: January 22
March 5

Reported by: Tanya Suggs
Monitor

Persons Interviewed: Director, Direct Care Staff, Youth, Clinical Coordinator

Date of Report: May 2010

INTRODUCTION

North American Family Institute (NAFI) operates Aunt CC's Harbor House Shelter. The home is licensed by Department of Juvenile Services (DJS). The Department of Social Services and the Department of Juvenile Justice refer low-risk males between the ages of 11 to 17 to Aunt CC's. The average length of stay is 30 days.

Aunt CC's Harbor House is an emergency shelter, an alternative to detention, and a placement for youth who require temporary care. Aunt CC's provides youth with group and individual clinical services, life skills education, food, clothing, and post-release clinical services.

FINDINGS

1. Population

The length of stay is from one to ninety days, with an average length of stay of thirty days. The population fluctuates due to court adjudications or youth returning home. According to the administrator, he has been trying to fill the home to its maximum capacity but judges have been sending youth home on probation rather than to the shelter; therefore, the population has remained low.

Also no Department of Human Resources (DSS) youth are being referred to the program because DHR has a new policy against co-mingling DJS and DHR youth. The Administrator also said that DHR's plans to send youth directly into foster care rather than shelter care create more stability for the youth.

Throughout the quarter, the population has fluctuated but remained significantly lower in population than previous quarters. In January, there were less than ten youth in the home.

2. Staffing

There are two direct care counselor vacancies for the 2-10 pm shift and one for the 10-6 pm shift. The three relief staffers from the home will fill the current Direct Care vacancies.

Applicable Standard

COMAR 14.31.06.05 *The licensee shall maintain adequate staff coverage at all times based on the time of day, the size, and nature of the program and layout of the physical plant.*

3. Safety and Security

The home has a very low number of incidents. AWOL'S continue to be the biggest challenge. AWOL'S are typical in group homes and shelters because of the low security level. Youth who reside at Aunt CC's attend schools in the community; therefore, some youth have AWOLED by not returning to the home after school. This quarter there were seven AWOL's, one Alleged Inappropriate Comment, one Arrest of Youth (not in DJS custody according to the incident report), and one Youth on Youth Assault.

Compared to last quarter, AWOL'S have decreased slightly. AWOL'S have improved significantly compared to third quarter of 2009 when there were thirteen AWOL'S. During the 4th quarter of 2009, there were nine AWOLS, five Alleged Inappropriate Comments/Conduct by Youth, one Alleged Physical Child Abuse (while in DJS Custody), two Alleged Physical Child Abuse (not in DJS Custody), and two Sick Youth Requiring Emergency Hospital Care.²

4. Physical Plant and Basic Services

a. Fire Safety

The State Fire Marshal issued a fire prevention permit on November 30, 2009. The next permit is due November 5, 2010. The home was not in possession of a fire safety inspection report; therefore, the Monitor is unable to tell if there are any minor fire related findings. The home should keep a copy of the annual fire reports on file for the home and the Monitor's review.

The next Fireline inspection is due October 2010. The last report did not note any major findings.

There were a few minor physical plant repairs completed throughout the quarter. Recently the home purchased beautiful new sofas. The living room area and computer rooms were nicely painted. The home now has a small office size cubicle in the living room area. The home is clean and well maintained.

b. Basic Services

The City of Baltimore Department of Health conducted an environmental/health inspection on January 29, 2010. The report noted a few minor findings, including the need for cold foods to be stored at 41 degrees or below.

² The number of incidents was higher than was reflected in the DJS incident database. All incidents were not reported during third quarter.

In January the home collaborated with Sysco, a food distribution and marketing company that prepares food for health care, educational facilities, and restaurants. The food supplier and the agency reviewed the home's food menus to assist the home in applying cost-efficient techniques while providing the home with healthy food choices.

5. Education

The youth continue to attend their zone school. The Clinical Coordinator is responsible for enrolling a youth in school if he is not enrolled at the time of admission to the home.

Youth who are enrolled in GED programs generally attend the program 2-3 times per week. They are not enrolled in vocational programs.

Youth might not benefit if enrolled in a vocational program, because the average length of stay is only thirty days.³ The home should explore using volunteers who would provide vocational services to the youth on a weekly or bi-weekly basis in the home. Youngsters do receive life skills training in house.

Currently youth receive informal cook training by assisting with cooking and preparing food in the home.

6. Rehabilitative and Recreational Programming

a. Therapeutic Program

Each youth receives clinical services in the community based on needs recorded in the Individual Service Plan (ISP). In addition to receiving the required clinical services based on the ISP, youth also have the option of talking to the Clinical Coordinator.

Youth also attend life skills, focus, feelings, and help groups in house.

b. Recreational Programming

Youth attend outings on the weekends. The youth reported that they would enjoy indoor recreational activities as well as additional outdoor activities. On weekdays, the youth spend their time attending group sessions or participating in free time rather than participating in indoor recreational activities. This quarter, youth have gone to Druid Hill Park, a cookout, community recreation centers, the movies and a basketball game at Coppin State University.

³ Although the average length of stay is thirty days, some youth to reside in the home for less than thirty days.

7. Medical

The home has one on-call nurse who visits the facility as needed, or if a new youth is admitted to the home. The nurse visits the home sporadically to check in with the youth.

8. Youth Advocacy, Internal Monitoring and Investigation

a. Youth Advocacy

There were no grievances submitted to the JJMU this quarter. Youth are usually able to resolve issues by talking to staff or addressing problems through group sessions.

b. Internal Monitoring

A Department of Juvenile Services Program Evaluator visited the home to conduct a comprehensive visit on January 19 and March 11, 2010.

Some areas that were reviewed are:

- Youth Records
- Incident Reporting
- Physical Plant
- Individual Service Plans
- Employee Records
- Physical Restraint; and
- Fire Safety

Several findings were noted in the Program Evaluation Report for this quarter, including that emergency fire drills were not being conducted as required and that the program did not follow up with DJS as required on a medical issue. The program did not communicate, notify or document required medical follow-up. The program did not conduct emergency fire drills as required.

After a youth on youth assault, youth were not seen by a nurse or therapist as required by DJS policy.

Individual Service Plans do not include youth signatures, which may indicate failure to review the ISP with the youth.

c. Youth Concerns

The youth did not express any major concerns to the Monitor this quarter, although some reported that they would like to continue to attend outings on a more frequent basis. Many of the youth expressed satisfaction with their placement in the home.

Applicable Standard

COMAR 14.31.06.12.3.B(1)(2) *The licensee shall provide the children with a range of indoor and outdoor recreation activity and leisure activities both in the program and in the community; and base recreation and leisure activities on the child's needs and the group composition.*

UNABATED CONDITIONS

1. The home should submit the annual fire safety inspection report to the JJMU and keep a copy on file.
2. The home should coordinate age appropriate indoor recreational activities for the youth.



MARLANA R. VALDEZ
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JUVENILE JUSTICE MONITORING UNIT

FACILITY REPORT
BALTIMORE CITY JUVENILE JUSTICE CENTER
JANUARY – MARCH, 2010

Facility: Baltimore City Juvenile Justice Center
300 North Gay Street
Baltimore, MD 21202
Administrators: Mr. Wallis Norman and Mr. Anthony Wynn

Dates of Visits: January 5, 6 (off-site), 16, 22 and 27
February 3, 9, 12
March 10, 13, 22 and 29

Reported by: Nick Moroney
Monitor

Persons Interviewed: Various including Administrators, Staff, Youth, Director of Detention, Area Director and Public Defenders

Date of Report: May 2010

INTRODUCTION

The Baltimore City Juvenile Justice Center (BCJJC) houses a detention facility for male youth on the ground floor of a building complex including juvenile courts and other youth-related services. The detention center is operated by the Maryland Department of Juvenile Services (DJS/the Department), which currently rates the youth population capacity at 120.

When it opened in October 2003, the detention component at BCJJC was designed to serve youth awaiting court dates and not intended or designed for waiting periods of more than 30 days for youth needing a treatment placement.

However, a significant proportion of the youth at BCJJC during the first quarter of 2010 were waiting at the facility to move to a treatment placement. Some youth wait for many months at BCJJC, months that are not counted in calculating completed Court-mandated treatment time. Youth frustration over “dead time” is a component contributing to incidents involving aggression.

SUMMARY OF CRITICAL FINDINGS

- The physical plant layout of the BCJJC detention center (BCJJC) remains unsuitable for housing youth for extended periods of time.
- DJS reduced the facility youth capacity at BCJJC from 144 to 120 in early 2009.
- Youth population entries⁴ are down 22% when comparing the first quarter of 2010 with the same period in 2009.
- A large number of youths wait for months in BCJJC for a treatment placement elsewhere. In addition, other youths continue to remain in detention status at BCJJC for significant periods of time.
- The number of reported serious Group Disturbances decreased by 75% during the first quarter of 2010 compared to the same period in 2009.
- The planning and implementation of a pilot program (Intensive Services and Transition units) for youth at BCJJC involved in aggressive incidents seems to be a factor influencing a reduction in the number of aggressive incidents (especially those involving multiple youth) when comparing the first quarter of 2010 with the same period in 2009.
- The total number of aggressive incidents increased somewhat in the first quarter of 2010 in comparison with the fourth quarter of 2009.
- The provision of full staffing for all shifts has been a challenge. However, by the end of the quarter, DJS had begun to actively address this problem through hiring more direct care staff.

⁴ A youth “entry” means the number of times youth enter to stay at a facility. When a youth enters a facility, that counts as one entry. If a youth enters, leaves and re-enters, that amounts to two entries, etc.

FINDINGS

1. Population

a. General (for the First Quarter of 2010)

Facility Capacity	High Population	Low Population	Average Population	Days Over Capacity
120	135	90	Jan 113 Feb 114 Mar 118	15

There were 684 recorded youth entries during the first quarter of 2010. Some youth had more than one stint at BCJJC between January and March while other youth were at the facility for a single day or less. Youth held at BCJJC included two twelve-year-olds; 12 thirteen-year-olds; and 51 fourteen-year-olds.

There has been a decline in the number of youth entries to BCJJC. The first quarter of 2010 saw 684 versus 872 in the first quarter of 2009. The closure of some cells has meant that the decline in youth entries has not mitigated crowding on the orientation unit or on other units. Staff interviewed this quarter at BCJJC suggested that 3 staff and 8 to 10 youth (depending on needs of youth) per unit would help in assuring the facility becomes a safer, more secure environment.

Youth begin their stay in BCJJC spending approximately a week on an orientation unit. Orientation is often overcrowded and youth are mixed together without due consideration as to their legal classification/status. Other units also mix youth awaiting placement and youth detained awaiting a court appearance. For youth staying in the orientation unit from a few days to a week, education is provided on the unit and only in the form of packets sent from the facility school.

b. Detention and Pending Placement (on March 31, 2010)

	Number of Youth in Status 60+ Days (on March 31)	Number of Youth in Status 90+ Days (on March 31)	Average Length of Stay (during the first quarter)
Pending Placement Status	8 (84, 83, 80, 70, 70, 66, 66, and 60 days)	9 (170, 129, 128, 115, 107, 104, 93, 92, 91 days)	42 days
Detention Status	5 (80, 78, 72, 70, and 64 days)	1 (118 days)	12 days

Amongst youth at BCJJC on the last day of the first quarter of 2010, length of stay ranged from under one day to 170 days. As can be seen from the Pending Placement chart, the average time a youth spent (during the first quarter) at BCJJC waiting for a treatment slot elsewhere was nearly a month-and-a-half. In addition to youths awaiting placement, a few youths remained in detention at BCJJC for 2 months or more, as shown in the chart above.

(i) Pending Placement at BCJJC - from January in Detail

By Thursday, April 08, 2010, one youth had spent 177 days awaiting placement. On that day, there were another 20 youth who had spent 3 months or more awaiting placement that will allow them to leave BCJJC. Twenty two other youth had spent 2 months or more waiting to be placed. An additional fifty youth had been waiting for a placement for one to two months.

A chart illustrating the magnitude of upper-end stay time among all youth who spent time at BCJJC at any time during the first quarter of 2010 follows immediately below.

Pending Placement and Detention data concerning youth who were at BCJJC at any time during First Quarter (2010)

	30 days and over	60 days and over	90 days and over
Pending Placement	50 youths (59, 58, 56, 55, 54, 53, 52, 52, 51, 51, 51, 50, 49, 49, 49, 48, 46, 45, 43, 42, 42, 42, 42, 42, 41, 40, 38, 38, 38, 38, 37, 37, 37, 37, 36, 36, 36, 36, 35, 35, 35, 35, 34, 34, 32, 32, 32, 31, 31, 30.)	22 youths (87, 84, 82, 80, 78, 78, 73, 73, 73, 71, 71, 71, 70, 68, 67, 66, 66, 66, 64, 64, 63, 63.)	21 youths (177, 174, 163, 157, 155, 154, 136, 135, 119, 115, 114, 111, 106, 106, 102, 100, 99, 99, 98, 91, 90.)
Detention	53 youths (58, 55, 55, 54, 52, 52, 50, 49, 49, 49, 48, 44, 43, 43, 42, 41, 41, 41, 41, 38, 38, 37, 37, 37, 36, 36, 36, 36, 36, 35, 35, 34, 33, 33, 33, 33, 33, 32, 32, 32, 32, 32, 32, 32, 32, 31, 31, 31, 31, 31, 31, 30, 30, 30.)	13 youths (87, 85, 84, 82, 79, 78, 76, 72, 72, 68, 64, 61, 60.)	2 youths (125, 113.)

By Thursday, April 08, 2010, one youth had spent 177 days awaiting placement.

The facility continues to hold far too many youths for far too long in a physical plant that is inappropriate in such circumstances. Some youths spend 6 to 9 months in DJS detention centers including BCJJC waiting for a treatment bed and then “begin” their allotted time away from home. The time spent in BCJJC and other detention facilities is “dead time” to youths waiting for placement as it does not count toward treatment time.

During much of the first quarter of 2010, over 50% of the youth in BCJJC were awaiting placement. Pending placement youth would be in treatment centers if slots were available. The majority of youth in BCJJC during the first quarter were stuck in the detention center because of a resource shortage.

(ii) Shortage of In-State Resources

If placements in Maryland were to be consistently available for youth at BCJJC (and Cheltenham) in pending placement status, then the youth concerned would not be forced to stay in cramped and stressful circumstances in a detention facility that was not designed to hold youths for long periods of time.

The problem of months-long pending placement periods for many youth pre-dates the current DJS administration which has made significant and successful efforts to cut pending placement time. However, the problem tends to re-surface periodically and the first quarter of this year saw a serious spike in numbers of youth in pending placement at BCJJC and Cheltenham.

A proposal by the Office of the Public Defender during the recent Maryland legislative session would have required the Department to begin providing a full treatment program to youth in pending placement status after 30 days.

Administrators and staff state that the situation at BCJJC where youth are waiting for a treatment bed leads directly to aggressive incidents. One staffer remarked that, given the number of youth and design of the detention center at BCJJC, it is a “miracle” and a tribute to BCJJC staffers and administrators that the facility does not have more aggressive incidents.

The treatment placement shortage highlights the need to prioritize and develop a number of small and specialized in-state treatment resources. As a stopgap measure, pending placement youth waiting at BCJJC could be moved to a secure facility with less stress-inducing cramped surroundings. A nearby secure DJS facility, The Hickey School, offers scope for outdoor activities that BCJJC lacks.

(iii) Positive Developments - Pending Placement

As of the end of April and beginning of May 2010, there was significant positive movement concerning youth in BCJJS waiting for treatment slots. On May 5, 2010, 38 of the 119 youth at BCJJC were recorded as in pending placement status – in other

words, a little over 30% of the youth population at BCJJC were awaiting placement compared with periods during the first quarter when over 50% of youth at BCJJC were in pending placement status.

(iv) “Dead Time”

Before youth have been placed, assessments, which may be relevant for any treatment facility, should be expedited and youth (and their families) should be given comprehensive knowledge about programs and expectations at potential treatment placements.

Initiatives which address the length of time youth spend in “dead time”/pending placement status have the potential to drive downward the number of aggressive incidents in detention centers where youth frustration about dead time and lack of knowledge about placements are factors contributing to aggressive incidents.

c. Population Breakdown by Race/Ethnicity

	1st Quarter 2009	1st Quarter 2010
Recorded Youth Entries	872	684
African American	830	665
White	31	13
Other	11	6

While there has been an approximately 22% decline in overall entries to BCJJC, the proportion of African American youth entries into the facility has increased from 95% to 97% when comparing the first quarter of 2009 with the same period in 2010.

Applicable Standards

Maryland Rules, Rule 11-112. Detention or shelter care. *Maximum period of detention or shelter care – continued detention or shelter care pending the adjudicatory or waiver hearing may not be ordered for a period of more than thirty days.*

JDAI Standards I (D) Population Management *1. Written policies, procedures and actual practices (shall) ensure that when the institutional population approaches or reaches its rated capacity, appropriate youth are released or “stepped down” to non-secure settings. 2. Written policies, procedures and actual practices (shall) ensure that*

staff review the institutional population on a daily basis to make sure that youth who no longer need secure confinement are promptly released, are “stepped down” to less restrictive settings, or transferred to other settings.

Md. Standards for Juvenile Detention Facilities 5.1.5.1 *The provision of ... living space shall be sufficient to adequately meet the needs of the detained youth.*

Md. Dept. of Juvenile Services Policy and Procedure RF-01-08 Classification of Youth in Detention Facilities. *The Department of Juvenile Services (DJS) shall ensure a safe, secure and stable environment for detention facilities. Each facility shall implement an objective internal classification system to assess youths’ potential vulnerability and supervision needs, and shall utilize the results of the classification assessment to guide appropriate housing decisions. The classification assessment shall be implemented for all youth on their admission to the facility and shall provide for reclassification in response to circumstances or special needs that may require modification of housing assignments.*

2. Staffing

a. General

Staff coverage has been inadequate at BCJJC during the first quarter. In January, youth reported to the Public Defender’s Juvenile Protection Unit that the facility is understaffed on the weekends.

The Department has attempted to alleviate shift coverage problems through the transfer of DJS personnel from the William Donald Schaefer House (Schaefer House) treatment center for youth with alcohol and substance abuse related issues. The subsequent downsizing of Schaefer House is hopefully a temporary measure as the Department has begun a recruiting process for new hires to work at BCJJC.

As of the end of April, a few new staffers had begun working at BCJJC with another 12 due to begin by mid-May.

b. Staff Training

Meetings between administrators and staffers are being held to clarify duties/responsibilities and set clear behavioral expectations for supervisors and line staff. Other meetings have focused on continuous training for staff working the ISU unit and on reinforcing teamwork amongst DJS and MSDE staff at BCJJC.

Administrators have been emphasizing incident prevention and de-escalation training and seeking to insure that shift supervisors assist line staffers. There is a plan to pre-designate individual workers to be available to provide assistance in situations involving crisis management.

The amount of staff created programming for youth has increased considerably over the past year with the exception of on the orientation unit where, as of April, administrators were working to implement comprehensive programming.

Applicable Standards

Md. Standards for Juvenile Detention Facilities 5.1.5.5 Staffing *Staffing levels shall ensure the proper supervision and safety of the residents.*

Md. Standards for Juvenile Detention Facilities 5.1.3 Staffing *Staffing arrangements shall aim to provide a safe, humane, and caring environment.*

Md. Department of Juvenile Services Standards of conduct 2.2 Personal Conduct 2.2.1. *Each employee shall conduct him or herself at all times, both on and off duty, in such a manner as to reflect most favorably on the Department.*

3. Safety and Security

a. Aggregate Incidents

Incident Categories	1st Qtr 2009	1st Qtr 2010
1. Youth on Youth Assault	240	147
2. Youth on Youth Assault with Injury	132	85
3. Alleged Youth on Staff Assault	18	16
4. Alleged Youth on Staff Assault with Injury	6	4
5. Group Disturbance (injury/property damage)	59	13
6. Group Disturbance (no injury/property damage)	18	7
7. Restraint	240	191
8. Restraint with Injury	136	85
9. Locked Door Seclusion (over 8 hours)	7	15
10. Allegation of Child Abuse (DJS custody)		
• Physical Abuse/Sexual Abuse	2/0	0/0
11. Escape	0	0
12. Suicide Ideation, Gesture, Attempt or Behavior	17	4
13. Alleged Inappropriate Staff Conduct/Comment	6	4

A 75% reduction in serious group disturbances is noteworthy, even allowing for a population capacity cut and approximately 22% less youth entries to BCJJC this quarter compared with the same period in 2009.

The decline in group disturbances is a credit to staff and administrators at BCJJC who implemented positive changes including more programming for youth and the creation, implementation and fine tuning of the ISU and Transition units.

While there has been a significant reduction in aggressive incidents compared to a year ago, the number of aggressive incidents has risen somewhat in recent months.

During the last quarter of 2009, there were 119 youth-on-youth assaults compared to 147 this quarter; 14 youth-on-staff assaults compared to 16 this quarter; 10 group disturbances with injury or damage and 3 without injury or property damage compared to 13 and 7 respectively this quarter. Restraint injuries have risen slightly while the number of restraints has slightly dropped. There were 193 restraints (82 with injury) during the last quarter of 2009 and 191 restraints (85 with injury) this quarter.

On the positive side, long term seclusions, suicide-related incidents and physical abuse allegations have all edged downward compared to the last quarter of 2009. There were 18 seclusions over 8 hours in the 4th quarter, 2009 compared to 15 this quarter; 6 suicide-related incidents compared to 4 this quarter; and 2 allegations of physical child abuse in DJS custody compared to 0 this quarter.

b. Videotaping of Incidents

Administrators state that digital footage from the camera system at BCJJC is unavailable after 30 days barring a special request within said timeframe.

All filmed incidents involving aggression or any critical issue should be archived and held for a year, if not indefinitely – this should not present technical or storage difficulties as the digitized footage is easier to copy and takes less storage space than the video tapes the Department continues to use at Lower Eastern Shore Children's Center.

c. Intensive Services and Transition Units

During the third and fourth quarter of 2009, an Intensive Services Unit (ISU) was planned and implemented as a pilot program for youth involved in aggressive incidents at BCJJC. The ISU was later augmented by a transition unit for youth in the process of moving from ISU back into the regular youth population.

The program has been deemed successful and credited with helping to bring down the number of group disturbances and positively affect the atmosphere/group dynamic among youth at BCJJC. There are plans to expand the model which includes individualized behavioral health assessments and differentiated guarded care plans for youth; on-unit education with MSDE-certified teachers and a Special Education instructor; and specialized training and behavioral health needs instruction for ISU staffers.

d. Security Equipment and Practices

A padlock was lost from a case manager's door on January 13. The lock remains unrecovered at time of writing.

An incident initially described as an “attempted escape” (DJS Incident reports #79882 and #79883) involved attempts by youth to gain access to a staffer’s keys. The attempts were ultimately unsuccessful.

The Department needs to insure a clear and effective key control system for each DJS facility including BCJJC.

As of April 2010, there are 25 emergency man-down alarms for school and counseling staff at the Lower Eastern Shore Childrens’ Center (LESCC), a DJS detention center on the Eastern Shore. The tool is pressed by a staffer in an emergency causing a “code blue”/staff in need of assistance signal at Master Control. The alarm can only be disabled off-scene. School staff, counselors, social workers and direct care staff at BCJJC should also be given man-down distress alarms.

Currently one of the classrooms at BCJJC does not have camera coverage.

While acknowledging a shortage of available funds throughout the Maryland State system and recognizing that budget allocation is a consideration in all expenditure decisions, it is nevertheless strongly recommended that priority be given to the implementation of camera installation in every room or office frequented by youth (including counseling offices) throughout every DJS facility, including BCJJC.

The exceptions within the scope of this recommendation are youth cells and bathrooms – the entrances to but not the interiors of these areas should be camera covered.

Applicable Standards

Md. Standards for Juvenile Detention Facilities 5.1.1 Security and Control *Security in a detention facility shall recognize and balance the legitimate need for security and safety felt by staff and society with the residents’ need for a setting that provides them with safety and a reasonable quality of life.*

Md. Department of Juvenile Services Policy and Procedure RF-02-07 Use of Crisis Management (CPM) Techniques *Policy Employees of the Department of Juvenile Services (DJS) ... shall establish and maintain a safe and orderly environment within each facility.*

4. Fire Safety and Physical Plant

a. Fire Safety

BCJJC is up-to-date and in full compliance regarding state fire prevention inspection requirements. A State Fire Marshall inspected the facility on March 12, 2010, and noted “no violations” but requested that administrators ensure “keys for fire protection equipment in detention center work locks easily.”

A quarterly flow and tamper alarm test on April 14, 2010, addressed fire alarm system components including control panels, pumps, sprinklers, smoke and heat detectors and emergency generators. The various system parts were all found to be in proper working order.

The facility also conducts a monthly fire extinguisher examination and the results are documented and reported. The reports from January through April 2010 indicate all extinguishers were charged (full and working properly) with the exception of one unit examined at during an April 1 inspection. The extinguisher concerned was immediately replaced.

b. Physical Plant

The physical plant layout in the detention center is unsuited to housing youth for extended periods.

Applicable Standard

Md. Standards for Juvenile Detention Facilities 5.2.1 *All detention facilities shall conform to State fire safety requirements.*

5. Education

During the first quarter, educators reported they were consistently supported by DJS staff concerning safety and security.

Complaints about aspects of the Special Education program assessment, placement and documentation at BCJJC during 2009 and early 2010 have been addressed by MSDE and DJS in consultation with the CRIPA education consultant.

Steps have been taken to bolster the quality of Special Education services at BCJJC. By the end of April, MSDE had hired a candidate for a special education coordinator position (funded by DJS).

An art instructor has been added to the teaching staff. The woodshop class has been discontinued and there is currently no “hands-on” vocational program at BCJJC. The Carpentry instructor at Cheltenham (CYF) visited BCJJC during the first quarter and has offered to conduct classes at BCJJC and other DJS facilities in addition to his duties at CYF.

Making sure that youth get to class on time consistently and in an orderly fashion has been an issue at BCJJC. The Director of Detention has addressed this issue and progress has been made, but some instances where youth do not make class on time still occur.

Applicable Standard

Md. Standards for Juvenile Detention Facilities 4.1 Educational Services The Department shall ensure that educational services provided within the detention facility are consistent with state requirements and that they meet the individual needs of the youth.

6. Rehabilitative and Recreational Programming

Programming has increased throughout the facility; however, the programming and educational needs of youth in orientation have not been comprehensively addressed to date. As of April 2010, there were plans to greatly extend programming and activities in orientation.

There is insufficient indoor and almost no outdoor recreation space at BCJJC. For a time, recreation on Unit 41 was not being provided every day according to a statement from the Public Defender's office. Subsequently, administrators stressed to staff that youth must be provided mandated recreation time. Any instance of a youth refusing recreation should be noted without delay in the unit logbook.

Applicable Standards

Md. Standards for Juvenile Detention Facilities 5.1.5.4 ... *(E)xercise and recreation ... services shall be maintained at a sufficient level to accommodate the number of youth at the facility.*

Md. Standards for Juvenile Detention Facilities 4.5 Recreational activities *A well-defined and structured recreation program shall be provided for each resident.*

Md. Dept. of Juvenile Services Policy and Procedure RF-08-07 Recreational Activities Policy *The Department of Juvenile Services (DJS) shall provide recreation and leisure activities to youth in DJS residential facilities and programs to promote skill development and prevent idleness. Recreation shall be available to all youth each day. Leisure activities shall be provided to alleviate boredom, provide positive reinforcement and develop skills of cooperation, teamwork and sportsmanship.*

7. Medical and Behavioral Health

Medical staffers report that the medical suite does not have enough examination rooms for the level of through traffic with youth coming in for assessments, examinations and injuries.

Behavioral Health services are provided by Hope Health Systems, Inc., which provides professional staff onsite at the Justice Center.

Applicable Standards

Md. Standards for Juvenile Detention Facilities 4.3 Health Care Services *Health care services shall be in accordance with established Departmental policy and procedures.*

Md. Standards of Juvenile Detention Facilities 4.3.2 Mental Health Services *The Department shall be responsible for acquiring, either directly or by agreement or contract with a public or private mental health agency, necessary mental health care and services for youth within facilities operated by the Department and its vendors. All mental health services shall be provided in accordance with guidance from the Department of Health and Mental Hygiene.*

8. Youth Advocacy, Internal Monitoring and Investigation

Community Case Managers (sometimes called P.O.s) visiting youth at BCJJC are required to fill out a contact form which includes the type of visit and a space for remarks and which the youth visited signs. The form provides evidence of community case manager visits and the lack of a form can indicate a failure to visit youth. The use of this contact form or an appropriate alternative should be mandatory at all DJS operated and DJS licensed facilities. A copy of the form is included under “Appendix” on the final page of this report.

RECOMMENDATIONS

1. Staff should be supplied with emergency man down alarms.
2. One of the classrooms at BCJJC does not have camera coverage. Cameras should be installed in every room or office frequented by youth (including classrooms and counseling offices) throughout every DJS facility including BCJJC. The entrances to but not the interiors of youth cells and bathrooms should be camera covered. All filmed incidents involving aggression or any critical issue should be archived and held for a year.
3. The Department needs to insure a clear and effective key control system for each DJS facility including BCJJC.
4. Programming and educational needs of youth in orientation need to be comprehensively addressed. The Department should continue to initiate and support attempts (more programming, behavioral health interventions, ISU etc.) to reduce the number of aggressive incidents at BCJJC.
5. The Department should continue to seek more treatment resources in order to service youth who spend months in BCJJC or other detention centers awaiting treatment placements.

6. The hiring and training of direct care staff should be expedited.
7. Youth must be provided mandated recreation time. Any instance of a youth refusing recreation should be noted without delay in the unit logbook.
8. Administrators and supervisors need to continue to make sure youth get to class on time and in an orderly fashion.
9. The medical suite space needs to be expanded as there are not enough examination rooms.
10. The use of a Community Case Manager Detention Contact Form or an appropriate alternative should be mandatory at all DJS operated and DJS licensed facilities. A copy of the form used at BCJJC is included under Appendix on the final page of this report.

UNABATED CONDITIONS

1. The physical plant layout of the detention component at BCJJC remains unsuitable for housing youth for extended periods.

Appendix

Community Case Manager Detention Contact Form:

**BALTIMORE CITY JUVENILE JUSTICE CENTER
COMMUNITY CASE MANAGER
DETENTION CONTACT FORM**

YOUTH LAST NAME:					
YOUTH FIRST NAME:					
DOB:					
JURISDICTION:					
OFFENSE:					
DATE ADMITTED:					
CODE:					
REMARKS: 					
TIME IN:	TIME OUT:				
VISIT	<input type="checkbox"/> 10 DAYS	<input type="checkbox"/> 30 DAYS	<input type="checkbox"/> OTHER	<input type="checkbox"/> JSU	<input type="checkbox"/> VPT
CASE MANAGER:	DATE:				

<u>CASE MANAGER SIGNATURE</u> 1. Status Offender 2. Runaway out of State 3. Valid court order violation MRC	<u>YOUTH SIGNATURE</u> 4. Delinquent 5. Reporting Error
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MARLANA R. VALDEZ
Director

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

FACILITY REPORT
J. DEWEESE CARTER CHILDREN'S CENTER
JANUARY – MARCH, 2010

Facility: J. DeWeese Carter Children's Center
300 Scheeler Road
Chestertown, MD 21620
Superintendent: Derrick Witherspoon

Dates of Visits: January 7 and 25
February 2
March 4 and 24, 2010

Reported by: Nick Moroney
Monitor

Persons Interviewed: Superintendent, Assistant Superintendent, Facility Case Managers, Resident Advisors, Group Life Staff, Child Advocate, DJS-OIG Investigator, Medical Staff, Office Administrator, Maintenance Staff, Education Staff, State Law Enforcement, Youth

Date of Report: May 2010

INTRODUCTION

The J. DeWeese Carter Youth Facility (Carter) is a 15-bed detention center for boys on Maryland's Eastern Shore. It is located in one wing of what was an adult residential psychiatric facility in Chestertown, Kent County. It is operated by the Maryland Department of Juvenile Services (DJS/the Department).

SUMMARY OF CRITICAL FINDINGS

- The Carter facility continued to remain a safe and secure environment for youth during the first quarter of 2010.
- Youth population remained at or below the cap of 15 throughout the first quarter.
- Staff coverage shortages are being addressed through new hires.
- Planned security upgrades include cameras in the school area.

FINDINGS

1. Population

a. General (for the first quarter of 2010)

(DJS-set) Facility Capacity	High Population	Low Population	Average Daily Population	Average Monthly Population	Number of Days Over Capacity
27 [15]	15	8	13	Jan 14 Feb 12 Mar 13	0

The numbers in the chart above were sent to JJMU upon request from DJS headquarters. However, the facility capacity figure is 15 not 27 youth. First quarter daily population never exceeded the 15-youth cap. DJS-HQ should ensure the correct DJS-set Carter youth population capacity designation of 15 appears in all relevant DJS documentation.

b. Pending Placement

	Youth in Status 60+ Days (on 3/31/10)	Youth in Status 90+ Days (on 3/31/10)	First Quarter Average Length of Stay
Pending Placement	1 (70 days)	0	29 days

The length of stay (time spent) among the 11 youth at Carter on March 31, 2010, ranged from 7 to 70 days. As shown above, one youth present on that day spent more than 60 days at the facility awaiting a treatment placement.

Before youth have been placed, assessments, which may be relevant for any treatment facility, should be expedited and youth (and their families) should be given comprehensive knowledge about programs and expectations at potential treatment placements.

Initiatives which address the length of time youth spend in “dead time”/pending placement status have the potential to drive downward the number of aggressive incidents in detention centers where youth frustration about dead time and lack of knowledge about placements are factors contributing to aggressive incidents.

c. Carter Youth Population Breakdown by Race/Ethnicity

	1st Quarter, 2009	2nd Quarter, 2009	3rd Quarter, 2009	4th Quarter, 2009	1st Quarter, 2010
Total # of Youth Detained	77	76	86	67	67
White	35	35	43	32	35
African American	41	38	40	34	32
Latino	0	2	3	0	0
Other	1	1	0	1	0

Applicable Standard

Maryland Rules, Rule 11-112. Detention or shelter care. *Maximum period of detention or shelter care – continued detention or shelter care pending the adjudicatory or waiver hearing may not be ordered for a period of more than thirty days.*

2. Staffing

A long-standing staff coverage shortage at Carter is being actively addressed through new hires by DJS and the administrator expects to be fully staffed by mid-May of 2010.

Applicable Standard

Md. Standards for Juvenile Detention Facilities 5.1.5.5 Staffing *Staffing levels shall ensure the proper supervision and safety of the residents.*

3. Safety and Security

a. Aggregate Incidents (1st Quarter 2009 - 2010)

Incident Categories	1 st Quarter 2009	2 nd Quarter 2009	3 rd Quarter 2009	4 th Quarter 2009	1 st Quarter 2010
1. Youth on Youth Assault	7	6	4	5	5
2. Youth on Youth Assault with Injury	4	0	1	0	1
3. Alleged Youth on Staff Assault	1	1	0	0	1
4. Alleged Youth on Staff Assault with Injury	0	0	0	0	0
5. Group Disturbances (injury/property destruction)	0	0	1	0	0
6. Group Disturbances (without injury/destruction)	0	0	0	0	0
7. Restraints	16	8	6	9	6
8. Restraints with Injury	4	1	2	1	0
9. Seclusions over eight hours	0	0	1	0	0
10. Physical Child Abuse Allegations (DJS Custody)	3	0	1	0	0
11. Suicide Ideation, Gesture, Attempt or Behavior	2	9	4	6	2
12. Alleged Inappropriate Staff Conduct/Comments	0	1	0	0	0

The number of critical or aggressive incidents remained low during the first quarter of 2010 and the Carter facility continued to be a safe and secure environment for youth held there.

b. Safety and Security Related Upgrades

Holes for windows are being cut in doors to counseling offices to allow for ease of visual security checks of youth and staff from outside the door. Security mirrors are also to be installed to allow visual coverage of events inside offices where youth and staff interact. Such security upgrades will potentially be effective as long as direct care staff are present in the immediate vicinity and are systematically checking events inside offices.

As of April 2010, there are 25 emergency man-down alarms for school and counseling staff at the Lower Eastern Shore Children’s Center (LESCC), DJS’ other detention center on the Eastern Shore. School staff, counselors, social workers and direct care staff at Carter should also be given man-down distress alarms. The tool is pressed by a staffer in an emergency causing a “code blue” signal at Master Control. The alarm can only be disabled off-scene.

At Carter, DJS direct care staff work in both the hallway and the classrooms of the school during school hours. There are plans to extend camera coverage at Carter to the school. Security camera coverage should extend to all areas frequented by youth within the entire facility including the school.

While acknowledging a shortage of available funds throughout the Maryland state system and recognizing that budget allocation is a consideration in all expenditure decisions, it is nevertheless strongly recommended that priority be given to the implementation of camera installation in every room or office frequented by youth (including counseling offices) throughout every DJS facility, including Carter.

The exceptions within the scope of this recommendation are youth cells and bathrooms – the entrances to but not the interiors of these areas should be camera covered.

Applicable Standard

Md. Standards for Juvenile Detention Facilities 5.1.1 Supportive Security

Security in a detention facility shall recognize and balance the legitimate need for security and safety felt by staff and society with the residents’ need for a setting that provides them with safety and a reasonable quality of life.

4. Physical Plant and Basic Services

a. Fire Safety

Carter complies with applicable fire safety requirements.

b. Physical Plant

The condition of the physical plant has been improved in tandem with a planned reduction and cap of population over the last two years. The staff includes a full time maintenance man who tends to maintenance needs in a timely manner. All beds are suicide-resistant, and each youth has his own room. The exterior and the interior of the facility are clean and well kept.

c. Basic Services

The Food Service Manager from the Lower Eastern Shore Children’s Center supervises food services at Carter. The presence of a qualified food services manager has improved the quality and quantity of food provided to youth. Headquarters nutrition personnel also monitor the food service provider. Healthy snacks are also usually provided.

Administrators and staff continue to hold an ongoing series of “town meetings” between staff and youth at which suggestions and concerns are aired. Administrators at Carter make a conscientious effort to address concerns and act on suggestions.

Applicable Standards

Md. Standards for Juvenile Detention Facilities 5.2.1 Conformity with Codes *All detention facilities shall conform to state fire safety requirements.*

Md. Standards for Juvenile Detention Facilities 5.5.1 Food Service Management *A full time staff member experienced in food service management shall supervise the food service operation within a detention facility.*

5. Education

The Maryland State Department of Education (MSDE) provides education services at Carter. The building is clean, spacious and aids in the provision of a constructive learning environment.

Youth at Carter enter school immediately upon arrival and education records are requested and usually received in a timely manner. Special education requirements continue to be met consistently at Carter and youth files include an individual education plan.

Youth are in class for six hours each day. Classroom observation visits indicate youth are academically engaged and on task. The classrooms are roomy and the staff to youth population allows individual attention to youth education needs. Youth and instructors utilize appropriate, up-to-date textbooks and computer equipment.

Students who need GED programs are assisted on an individual basis. Career planning and associated skills are incorporated into the education component at Carter.

As of April, 2010, plans are afoot through MSDE for a 3 day-per-week telecommunications-cabling program with a certified instructor and both textbook-based and “hands-on” components at Carter (and LESCC). The Department and MSDE will hopefully be able to link the proposed vocational program to further education and employment or apprenticeship opportunities on the Eastern Shore. Similar programs should be initiated in all DJS operated and licensed facilities.

For information on security related school issues, see under “Security Related Upgrades” in the “Safety and Security” section of this report.

Applicable Standard

Md. Standards for Juvenile Detention Facilities 4.1 Educational Services *The Department shall ensure that educational services provided within the detention facility are consistent with state requirements and that they meet the individual needs of the youth.*

6. Rehabilitative and Recreational Programming

a. Therapeutic Program

Staff and administration continue to provide a wide variety of programs to youth, including alcohol and drug abuse groups, focus groups and Town Hall meetings with the Superintendent. The Urban Leadership Institute no longer conducts a weekly Life Skills program; however, a new Life Skills program is set to begin in May 2010. Behavioral health and social work staff provide ART (Aggression Replacement Therapy) 3 times per week.

Speakers from Narcotics Anonymous and Alcoholics Anonymous visit the facility to meet with youth.

Youth continue to work regularly with a local children’s author who directs readings and journaling.

b. Recreational Programming

Youth receive one hour of large muscle exercise per day. An interior room has been converted into an exercise area with a climbing wall and exercising equipment.

In the outside recreation area, the basketball court has been resurfaced. The basketball court continues to need a cover to facilitate outdoor activities during inclement weather.

Funds for materials used in recreational programming at DJS facilities are limited. Members of facility advisory boards at Carter and LESCC are pursuing the creation of a non-profit [501 (c)] mechanism to facilitate charitable contributions. Interest in this idea has been expressed by board members at Cheltenham and the idea could be taken up by concerned citizens at every DJS institution.

c. Parental Involvement

Parents or guardians are allowed to visit twice per week, and youth are allowed at least two phone calls per week. Parents/guardians are also encouraged to attend treatment and education-related meetings for youth.

Applicable Standard

Md. Standards for Juvenile Detention Facilities 4.5 Recreational activities *A well-defined and structured recreation program shall be provided for each resident.*

7. Medical and Behavioral Health

a. Basic Medical Services

Youth who come to Carter receive prompt physical exams and screenings for mental health issues, substance abuse and suicide. The physician conducting the physical exam does the dental screening. Youth are not seen by a dentist unless referred by the physician or for emergencies.

b. Medical Staff

Medical services are provided on-call on the third shift and on some weekends. A physician is present one day per week and a psychiatrist is available one day per week for medication management. Dental services are provided in nearby Chestertown by appointment.

Another nurse needs to be contracted or hired (part-time) in order to facilitate in-house rather than on-call weekend medical coverage for youth (and to allow for more shift flexibility among the current small number of staffers who may need to take time off).

c. Mental Health Services

Carter staff includes two Licensed Clinical Social Workers (LCSW's), two case managers, and an addictions counselor to provide screening and counseling for youth.

Applicable Standard

Md. Standards for Juvenile Detention Facilities 4.3 Health Care Services *Health care services shall be in accordance with established Departmental policy and procedures.*

8. Youth Advocacy, Internal Monitoring and Investigation

a. Youth Advocacy

The DJS Child Advocate retrieves and processes grievances with youth and DJS employees in a timely and effective manner.

b. Internal Monitoring

The DJS Office of Quality Assurance and Accountability issued its most recent report on Carter in October of 2008. The facility achieved Superior or Satisfactory Performance in 64% of the 44 standards evaluated.

Applicable Standard

Md. Department of Juvenile Services Policy and Procedure MGMT-01-07 Youth Grievance Policy *The Department of Juvenile Services (DJS) shall permit youth and individuals on behalf of DJS youth to file a grievance for a circumstance or action related to behavior of other youth, behavior of employees, or conditions of confinement.*

RECOMMENDATIONS

1. Population should remain capped at no more than 15 youth.
2. Staff should be supplied with emergency man down alarms.
3. A part-time nurse needs to be added to the medical staff.
4. Camera coverage should be extended to all areas in the facility frequented by youth with the exception of shower and cell interiors.
5. To reflect the actual capacity of the facility, DJS-HQ should lower the reported population capacity at Carter from 27 to 15 youth.

UNABATED CONDITIONS

1. A cover should be provided for the basketball court.



MARLANA R. VALDEZ
Director

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

FACILITY REPORT
CHELTENHAM YOUTH FACILITY
JANUARY – MARCH, 2010

Facility: Cheltenham Youth Facility
11001 Frank Tippet Road
Cheltenham, MD 20623
Superintendent (through March 2010): Quanetta West
Interim Administrators: Reginald Garnett and Antonio Pauley

Dates of Visits: January 8, 13, 19 and 28
February 4, 9, 15, 20 and
March 9 (offsite), 12, 16 and 29, 2010

Reported by: Nick Moroney
Monitor

Persons Interviewed: Superintendent, Assistant Superintendents, Interim Administrator, DJS-OIG Investigators, Head Nurse, Shift Commanders, School Principal, Teachers, Special Education Needs Assessment Staff, Residential Staff, Youth, Public Defenders, Re-Direct staff, Shelter Manager, Glass Mental Health Supervisors and staff, Facility Case Manager Supervisor, Facility Case Managers, Child Advocate, Services Supervisor (Procurement)

Date of Report: May 2010

INTRODUCTION

Cheltenham Youth Facility (CYF) is operated by the Department of Juvenile Services (DJS/the Department) and is located in Prince George's County. CYF serves young men from 12 to 18 years old. The facility includes three separate components. The detention component at CYF consists of youth awaiting trial, adjudication or committed placement. The Re-Direct program, a short-term program for committed youth and housed in Murphy Cottage, has been temporarily closed following the death of a staff member. The third component at CYF is a small group home shelter program for youth under court supervision who do not require secure confinement – the shelter has also been closed. The Shelter and Re-Direct units are located outside the security fence on the CYF campus.

SUMMARY OF CRITICAL FINDINGS

- An upcoming JJMU Special Report will address concerns related to the death of a DJS staff member in or around Murphy Cottage which was ruled a homicide.
- A comprehensive program needs to be developed by DJS administrators in conjunction with mental health services to address the needs of youth involved in aggressive incidents.
- The dilapidated residential cottages at Cheltenham continue to be unfit for youth occupation.
- CYF continues to be overcrowded.
- Providing staff coverage for direct care shifts continues to be a challenge.
- The CYF Shelter should be fitted with a sprinkler system and re-opened.

FINDINGS

1. Population

a. CYF Population figures for First Quarter, 2010

DJS-Set Facility Capacity	High Population	Low Population	Average Monthly Population	Number of Days Over Capacity
115	133	99	Jan 118 Feb 119 Mar 114	50 (55%)

The above figures taken from DJS population sheets document that Cheltenham Youth Facility (CYF) averaged a youth population higher than the DJS-established capacity during January and February of 2010.

The residential cottages at CYF are overcrowded. Staff call-outs and coverage issues complicate the situation. Youth legal and security status and other considerations which mandate that some youth cannot share a cell exacerbate the overcrowding problem.

Typical over-capacity situations at CYF during the first quarter include January 15 when there were 37 youth residents in Henry Cottage which has a DJS-set capacity of 24. Examples from February could include the population situation on February 13, when there were 30 youths in Rennie Cottage while the rated capacity is 24 - the other two cottages were also over capacity on that day.

The aged and decrepit cottages at Cheltenham are unfit for youth residency even when below capacity. Cheltenham has been in operation since 1872 and is first in line for DJS facility replacement. Although plans for a new 72-bed detention facility on Cheltenham grounds are underway, fruition is some time away. If design and construction go ahead on time, the new purpose-built Cheltenham detention center will open in 2015.

The proposed detention center would serve Prince George's County youth exclusively. Another smaller detention center is to be built in a to-be-determined/announced nearby county in southern Maryland. The second facility will serve youth who come from counties surrounding Prince George's County and who are currently served at CYF. Plans for a 48-bed treatment center for youth at Cheltenham have been indefinitely postponed due to budget constraints.

The Re-Direct program outside the fenced in area at CYF has been discontinued following the death of a staff member in February. The Department is reviewing the program with a view toward re-opening in early summer 2010.

The shelter on the CYF grounds was closed at the same time as the Murphy Cottage which housed the Re-Direct program. The shelter should be re-opened as soon as possible. There is a statewide shortage of shelter space and the CYF Shelter offered a home-like and well-managed environment for youth. The Department should install sprinklers in the shelter so that the home can accept 12 youth. A teacher (with direct care staff support) should be assigned to instruct the youth who will be housed in the shelter.

Youth at CYF during January – March, 2009 and January – March, 2010

	Jan 2009	Feb 2009	Mar 2009		Jan 2010	Feb 2010	Mar 2010
Youth at CYF	293	348	371		332	254	314

Youth population at CYF in January 2010 (332) was significantly higher than in January of 2009 (293). Youth population decreased after mid-February 2010.

However, CYF youth population was back up beyond DJS-set capacity by the end of the first quarter 2010 – on the population was at 120, 5 youth over capacity while the Shelter and the Murphy Cottage Re-Direct program remained closed.

Youth Entries to CYF: 2008 - Present

	1st Quarter 2008	2nd Quarter 2008	3rd Quarter 2008	4th Quarter 2008	1st Quarter 2009	2nd Quarter 2009	3rd Quarter 2009	4th Quarter 2009	1st Quarter 2010
Youth Entering CYF	717	761	651	700	767	867	848	772	652

The reduction in entries to CYF in February 2010 and the graduated nature of the subsequent increase through the end of the first quarter resulted in the lowest quarterly youth entry figures for CYF since the third quarter of 2008.

b. Pending Placement and Detention at CYF

	Youth in Status 60+ Days (on 3/31/10)	Youth in Status 90+ Days (on 3/31/10)	First Quarter Average Length of Stay
Pending Placement	3 (89, 70 and 62 days)	4 (107, 113, 120 and 167 days)	35 days
Detention	2 (80 and 73 days)	2 (91 and 162 days)	13 days

As of May 6, 2010, one youth continued to remain in detention status at Cheltenham after having already spent for 197 days at the facility.

By May 6, 2010, four of the youth waiting at CYF for a treatment placement through the first quarter had been released after spending 167,145, 145, and 135 days (respectively) at Cheltenham.

At any given time over recent months, between 40% and 50% plus of the youths held at CYF (and at BCJJC detention in Baltimore) were waiting for a treatment placement on so called “dead time” - that is, time NOT counted in computing length of stay serving court-mandated treatment time. Youth “doing dead time” - waiting for a treatment bed to open up elsewhere so that they can begin treatment - are referred to by DJS as in “pending placement” status.

(i) “Dead Time”

Before youth have been placed, assessments, which may be relevant for any treatment facility, should be expedited and youth (and their families) should be given comprehensive knowledge about programs and expectations at potential treatment placements.

Initiatives which address the length of time youth spend in “dead time”/pending placement status have the potential to drive downward the number of aggressive incidents in detention centers where youth frustration about “dead time” and lack of knowledge about placements are factors contributing to aggressive incidents.

c. Population Breakdown by Race/Ethnicity at CYF

	4th Quarter 2008	1st Quarter 2009	2nd Quarter 2009	3rd Quarter 2009	4th Quarter 2009	1st Quarter 2010
Total Youth Entries	700	767	867	848	772	652
African American	526	617	678	704	657	543
White	140	113	143	100	83	69
Latino	23	31	37	36	30	32
Other/Unknown	11	6	9	8	2	8

Applicable Standards

Maryland Rules, Rule 11-112. Detention or shelter care. *Maximum period of detention or shelter care – continued detention or shelter care pending the adjudicatory or waiver hearing may not be ordered for a period of more than thirty days.*

JDAI Standards I (D) Population Management *1. Written policies, procedures and actual practices (shall) ensure that when the institutional population approaches or reaches its rated capacity, appropriate youth are released or “stepped down” to non-secure settings. 2. Written policies, procedures and actual practices (shall) ensure that staff review the institutional population on a daily basis to make sure that youth who no longer need secure confinement are promptly released, are “stepped down” to less restrictive settings, or transferred to other settings.*

Md. Standards for Juvenile Detention Facilities 5.1.5.1 *The provision of ... living space shall be sufficient to adequately meet the needs of the detained youth.*

Md. Dept. of Juvenile Services Policy and Procedure RF-01-08 Classification of Youth in Detention Facilities. *The Department of Juvenile Services (DJS) shall ensure a safe, secure and stable environment for detention facilities. Each facility shall implement an objective internal classification system to assess youths’ potential vulnerability and supervision needs, and shall utilize the results of the classification assessment to guide appropriate housing decisions. The classification assessment shall be implemented for all youth on their admission to the facility and shall provide for reclassification in response to circumstances or special needs that may require modification of housing assignments.*

2. Staffing

Cheltenham continued to have a shortage of direct care staff available for shift work during the first quarter. This is due, in part, to staff on sick leave and the number of staff calling to say they will not be able to come to work (“call-outs”). During one of the snow days, 39 staffers called out, many of them unable to navigate roads to get to the campus. Administrators continued to cover direct care shifts to ensure mandated youth:staff ratios were met.

Glass Mental Health personnel at CYF offer staff-youth trainings and some direct care staffers working in the residential cottages continue to need more training in staff-youth interaction. Youth complain that some staff are inconsistent in their expectations.

Applicable Standards

Md. Standards for Juvenile Detention Facilities 5.1.5.5 Staffing *Staffing levels shall ensure the proper supervision and safety of the residents.*

Md. Standards for Juvenile Detention Facilities 5.1.3 Staffing *Staffing arrangements shall aim to provide a safe, humane, and caring environment.*

Md. Standards of Juvenile Services Standards of conduct 2.2 Personal Conduct 2.2.1. *Each employee shall conduct him or herself at all times, both on and off duty, in such a manner as to reflect most favorably on the Department.*

3. Safety and Security

a. Aggregate Incidents (First Quarter 2009 – First Quarter 2010)

Incident Categories	1 st Qtr 2009	2 nd Qtr 2009	3 rd Qtr 2009	4 th Qtr 2009	1 st Qtr 2010
1. Youth on Youth Assault	52	79	54	38	52
2. Youth on Youth Assault with Injury	26	37	34	19	27
3. Alleged Youth on Staff Assault	9	11	5	7	2
4. Alleged Youth on Staff Assault with Injury	4	6	2	2	2
5. Group Disturbances (bodily harm or property destruction)	2	8	3	2	2
6. Group Disturbances (no bodily harm or property destruction)	1	5	1	1	1
7. Restraints	46	100	64	57	65
8. Restraints with Injury	20	47	33	20	25
9. Seclusions over eight hours	2	5	1	0	0
10. Physical Child Abuse Allegations (DJS Custody)	3	8	2	2	5
11. Escapes/AWOL's	0/1	0/0	0/0	0/0	0/0
12. Suicide Ideation, Gesture, Attempt or Behavior	14	25	22	13	7
13. Alleged Inappropriate Staff Conduct/Comments	0	4	1	1	3

b. Physical Abuse

An internal DJS investigation sustained an allegation of physical abuse of a youth by a staff member which occurred on March 27, 2010 (DJS Incident 09378). According to a DJS Office of Inspector General (DJS-OIG) investigator, the youth concerned said he had cursed out staff “to the point that security took him to the mental health unit.” He was then moved to the medical unit for a few hours before being put on seclusion in a cell in Rennie cottage.

The youth told the investigator he had been on seclusion for almost 24 hours and that he knotted sheets and banged on the cell door because “staff was not trying to let me out.” Staff apparently asked the youth to stop making noise or they would “come in and take the items from the room.” An argument ensued when a staffer entered the youth’s cell.

The youth said the staffer said, “You a bitch-ass nigger.” The staffer “lost his cool I guess,” according to the youth, and threw a punch, hitting the youth in the cheek. Youth and staff began throwing punches, said the youth, while another staffer stepped in between and tried to push the involved staffer out of the room. The youth said the involved staffer threw a punch around the intervening staffer and hit the youth below the eye.

The results of a subsequent medical examination showed injuries to the youth consistent with his statement. An examination by an R.N. at CYF found a “slight abrasion inside of his left cheek, multiple red spots on his trunk and back, right side of face temporal occipital areas reddened and forehead starting to swell slightly.” The youth told the nurse, “[M]e and staff got into it.”

The youth said that, during the time he was in seclusion, staff never tried to talk with him to give him an opportunity to process out of seclusion. According to the investigator, the youth “stated the door was locked the entire time,” and staff “did not give him any options to come out of seclusion.”

The DJS-OIA investigator determined that there was “sufficient evidence to prove” the involved staffer “used excessive force” on the youth and rendered the youth’s allegation of physical abuse “sustained.”

The in-house Maryland State Trooper at Cheltenham investigated the above-described incident, found the physical child abuse to be “not sustained,” and said the youth concerned will be charged with 2nd degree assault.

A Child Protective Services investigation of the incident above is ongoing.

c. Long-Term Seclusion and “Social Separation”

The incident described above was not reported as a seclusion exceeding 8 hours. As shown in the DJS-derived information displayed on the “Aggregate Incidents” table, there were no RECORDED incidents on the DJS Incident database of locked door seclusions lasting over 8 hours at CYF during the first quarter of 2010 or the last quarter of 2009. However, the situation described above and youth comments to this Monitor and to members of the Public Defenders’ Juvenile Protection Division concerning long periods of detention call into question whether all seclusions over 8 hours are being reported.

Indeed, verbal testimony of youth at CYF together with the circumstances surrounding the incident described in the “b” section above under “Physical Abuse” strongly suggest that long-term seclusions as well as instances of long-term “social separation” happened at CYF during the first quarter, and continue to occur.

According to DJS policy, seclusion is only to be used when youth are an imminent danger to themselves or others or are trying to escape.

The incident described in the “b” section serves as an example of the misguided use of long-term seclusion (door locked); contrary to DJS’ own crisis prevention policies, to address youths perceived as particularly challenging, aggressive or “difficult.”

At Cheltenham, there are also indications that DJS policy setting a 60-minute maximum length on “Social Separation” is not being adhered to by line staff and supervisors.

“Social Separation,” according to DJS policy is the removal of youth from the group to his/her cell for a time out or cooling off period that, again according to is to last not longer than 60 minutes and during which the youth’s cell door should not be locked.

After interviewing youth on a number of occasions at CYF, the Juvenile Protection Division (JPD) of the Office of the Public Defender has written to administrators at Cheltenham to express concern that youth are being held at Cheltenham for long periods in what is being called “social separation” but which lasts far longer than the 60 minutes maximum allowed under DJS policy.

As recently as April 26, 2010, the JPD wrote to a CYF Administrator to express “concern over the length of time youth are reporting being on social separation status.” The JPD added that youth stated, “they do not go to school and do not participate in any activities when on social separation.”

The practice of locking youth up or forbidding youth to come out of unlocked rooms for long periods and keeping youth in this situation even though they present no immediate danger to self or others is contrary to DJS’ own seclusion and social separation policies and is also ineffective as demonstrated by events described in the

“b” section under “Physical Abuse.” (Also, see the JJMU Special Report on Seclusion/Social Separation at Baltimore City Juvenile Justice Center, Sept. 2009.)

There are alternative ways to address youth who need more individualized, intensive services. Cheltenham administrators should look to the success of a pilot program at DJS’ Baltimore City juvenile detention center.

In late summer/early fall of 2009, administrators running the detention component at Baltimore City Juvenile Justice Center (BCJJC) worked together with the federal CRIPA monitor, facility mental health services, DJS headquarters staff and MSDE staff to initiate the “Intensive Services Unit (ISU),” a pilot program to address youth involved in aggressive incidents.

The BCJJC ISU initiative utilizes and involves extra training for the most experienced direct care staff in the facility and includes on-unit augmented mental health services and an on-unit MSDE certified teacher and Special Education instructor. There is also a carefully managed “Transition” unit which includes some youth judged exemplary in behavior to help set and maintain a constructive group dynamic and ease the process for youth leaving ISU to rejoin the main youth population.

The ISU program at BCJJC has been improved and “tweaked” on an ongoing basis since inception in 2009. Improvements include the creation of the Transition unit. The need for a Transition unit became apparent shortly after the ISU began operations and youth going directly from ISU back into the main population were having adjustment difficulties. Another improvement involves ISU youth guarded health plans which are currently carefully researched while, at first, they were somewhat “cookie-cutter.”

A comparison between the first quarter 2010 and the first quarter of 2009 shows a seventy-five percent drop in serious aggressive incidents involving multiple youth at BCJJC. The ISU unit at BCJJC has been credited as helping to reduce aggressive incidents at that facility while at the same time offering comprehensive programming, individualized behavioral health treatment and full education services provided on unit from an MSDE certified teacher and a Special Education certified instructor.

The ISU and Transition unit offer a well-designed and implemented alternative facility program to address the needs of youth needing intensive individualized services. Administrators at the Cheltenham facility should work with mental health professionals to adopt a similar approach to the ISU system at BCJJC by developing a program to address youth who need intensive individualized services.

d. Security Equipment and Practices

As of April 2010, there are 25 emergency man-down alarms for school and counseling staff at the Lower Eastern Shore Children’s Center (LESCC), a DJS detention center on the Eastern Shore. School staff, counselors, social workers and direct care staff at CYF should also be given man-down distress alarms. The tool is

pressed by a staffer in an emergency causing a “code blue” signal at Master Control. The alarm can only be disabled off-scene.

The Department needs to insure a clear and effective key control system for each DJS facility including CYF.

Random searches or “shakedowns” are supposed to be unannounced. Some staffers said that searches at CYF have not been unexpected and that greater care needs to be taken to assure that youth are not aware of upcoming searches and that only essential staff are aware of the timing and scope of such plans.

Security camera coverage should extend to all areas frequented by youth within the entire facility.

While acknowledging a shortage of available funds throughout the Maryland state system and recognizing that budget allocation is a consideration in all expenditure decisions, it is nevertheless strongly recommended that priority be given to camera installation in every room or office frequented by youth (including counseling offices) throughout every DJS facility, including CYF.

The exceptions within the scope of this recommendation are youth cells and bathrooms – the entrances to but not the interiors of these areas should be camera covered.

Applicable Standards

Md. Dept. of Juvenile Services Policy and Procedure RF-01-07 Seclusion Policy

The Department of Juvenile Services (DJS) shall maintain a safe, secure area to isolate or seclude youth who present an imminent threat of physical harm to themselves or other individuals, have not responded to less restrictive methods of control or for whom less restrictive measures cannot reasonably be tried, or have escaped or are attempting to escape. The duration of seclusion shall be determined by the youth’s level of risk, as indicated by his or her behavior and statements.

Md. Dept. of Juvenile Services Policy and Procedure RF-01-07 (3) (c) Seclusion means the placement of a youth in a locked room where a youth is kept for a period of time during waking hours.

Md. Dept. of Juvenile Services Policy and Procedure RF-01-07 (4) (a) (7) Seclusion shall not be used as punishment and is limited to youth who: (i) Present an imminent threat of physical harm to themselves or other individuals; (ii) Have not responded to less restrictive methods of control or for whom less restrictive measures cannot reasonably be tried; or (iii) Have escaped or are attempting to escape.

Md. Dept. of Juvenile Services Policy and Procedure RF-01-07 (4) (a) (8) The length of seclusion shall not be a pre-determined time frame and shall be based on the criteria

identified in section 4 (a) (7) of this policy. When these conditions are no longer present, youth shall be released from seclusion.

Md. Dept. of Juvenile Services Policy and Procedure RF-01-07 (4) (a) (24) (vii) *In instances where an incident of seclusion lasts longer than 8 hours, the Facility Administrator or designee shall...ensure that the youth is removed from seclusion after 48 hours unless a written declared emergency is issued by the Facility Administrator and approved by the Assistant Secretary for Residential Services.*

Md. Dept. of Juvenile Services Policy and Procedure RF-02-07 (3) (p) *Social Separation means the supervised placement of a youth in his/her room for a non-punitive "cooling-off" period of no more than 60 minutes, which provides an opportunity for a youth to calm down and the situation to defuse. The door of the room shall remain opened and unlocked.*

COMAR 14.31.06.15 D. Use of Time Out. (4) *Each period of time out shall be appropriate to the developmental level of the resident and the degree of severity of the behavior, and may not exceed 30 minutes.*

4. Physical Plant

The physical plant at CYF is aged, decrepit and unsuited to housing youth even for short periods. The recently renovated infirmary has, until recently, been the exception - however, the infirmary has leaky windows and bubbles, cracks and holes in the floors that need to be addressed.

The State Fire Marshal's office issues a separate report for each operative building at CYF and the last inspection (May 22, 2009) did not note any fire safety violations. In addition to internal facility inspections, two private companies inspect the sprinkler systems and fire extinguishers. Fire drills are conducted twice a month on each shift.

Applicable Standard

Md. Standards for Juvenile Detention Facilities 5.1.5.1 *The condition of the physical plant The provision of lighting, heat, plumbing, ventilation, living space, noise levels and recreational space shall be sufficient to adequately meet the needs of the detained youth.*

Md. Standards for Juvenile Detention Facilities 5.2.1 *All detention facilities shall conform to State fire safety requirements.*

5. Education

A new CYF school principal hired during the summer of 2009 resigned at the beginning of the quarter. Mr. Andrew Hubner, who previously served as CYF principal, returned to re-take the position as head of the school.

As stated in previous JJMU reports, a dedicated education budget would facilitate accurate financial planning by school administrators.

Almost all teachers at CYF are fully certified by the Maryland State Department of Education. A large number of students benefit from Special Education services and youth are promptly and professionally assessed upon entry. There is a system in place to assure youth school records are speedily requested. Glass Mental Health also has personnel assigned to the school.

School administrators regularly schedule parent-teacher meeting days and there was a facility wide CYF Family Day on Saturday, July 25.

Vocational programming at CYF offers youth constructive learning experiences including carpentry, horticulture and silk screening. However, vocational programming is critically under-funded and, with the possible exception of silk screening, not directly tied to career opportunities or widely recognized certification.

The silk screening course is very popular and youth learn a marketable skill. They produce distinctive and attractively designed clothing and other items. Youth also produce accomplished work in Carpentry and other vocational classes. In Horticulture, youth learn how to tend and nurture plants.

Applicable Standard

Md. Standards for Juvenile Detention Facilities 4.1 *The Department shall ensure that educational services provided within the detention facility are consistent with state requirements and that they meet the individual needs of the youth.*

6. Rehabilitative and Recreational Programming

Community Case Managers were present as required during Treatment Service Plan meetings attended by the Monitor this quarter.

The weight room is closed. The equipment inside is old, worn and dangerous and needs to be replaced. The floor in the weight room is also badly worn and a safety concern with sections of torn rubber flooring sticking up and out. The weight room should be modernized and re-opened as soon as possible.

The swimming pool opened later than hoped in 2009, reportedly because of difficulties finding lifeguards. This year, administrators say, the pool is on track to open in late spring.

The woodshop instructor ran evening sessions during the quarter for youth interested in carpentry. Some youth were not able to attend the classes and told the Monitor they were never able to attend because some direct care staff continued to choose not to take youth to the workshop, keeping them on the residential cottages instead.

Some youth and staff have said that recreation is not adequately organized and that there should be a choice of sports other than basketball. Volleyball and soccer were suggested.

Applicable Standard

Md. Standards for Juvenile Detention Facilities 5.1.5.4 ... (E)exercise and recreation ... services shall be maintained at a sufficient level to accommodate the number of youth at the facility.

7. Medical and Behavioral Health

Glass Mental Health Services (Glass) manages CYF behavioral health services. Glass behavioral health therapists have been involved in training staff and have been available throughout the quarter to help youth and staffers address issues of concern.

Glass personnel are involved in violence prevention, counseling staff and youth and may advise on constructive interaction among youth and between staff and youth. According to various sources, there have been times, during the first quarter, when Glass personnel have been requested and subsequently refused to intervene while an aggressive incident was taking place. Glass personnel are not authorized to intervene at the moment youth are involved in an aggressive incident and have legitimately refused to become so engaged.

Applicable Standards

Md. Standards for Juvenile Detention Facilities 4.3 health Care Services *Health care services shall be in accordance with established Departmental policy and procedures.*

Md. Standards of Juvenile Detention Facilities 4.3.2 Mental Health Services *The Department shall be responsible for acquiring, either directly or by agreement or contract with a public or private mental health agency, necessary mental health care and services for youth within facilities operated by the Department and its vendors. All mental health services shall be provided in accordance with guidance from the Department of Health and Mental Hygiene.*

8. Youth Advocacy, Internal Monitoring and Investigation

The full-time child advocate at CYF is conscientious in responding promptly to youth grievances.

The DJS Office of Quality Assurance and Accountability issued its most recent report about CYF on May 1, 2009.⁵

RECOMMENDATIONS

1. Cheltenham's population should not exceed the maximum population capacity set by DJS.
2. The Department should ensure enough direct care staffers are available to cover every shift.
3. All staff should be supplied with emergency man down alarms in addition to radios.
4. Camera coverage should be extended to all areas in the facility (interior and exterior) frequented by youth, with the exception of shower and cell interiors.
5. Staff members should be continuously trained on youth supervision procedures.
6. All youth at Cheltenham should have their own rooms/cells.
7. No youth at Cheltenham should have to sleep in a plastic "boat" set on the floor.
8. The CYF Shelter should be re-opened with a sprinkler system so that it can be expanded to serve more youth.
9. The weight room should be modernized and re-opened.

UNABATED CONDITIONS

1. Cheltenham remains overcrowded with youth population routinely exceeding the maximum population capacity set by DJS.
2. Difficulties continue concerning direct care staff turnout for shift work due to last minute "call outs."

⁵ <http://djs.state.md.us/quality-assurance/qir-cheltenham.pdf>



MARLANA R. VALDEZ
Director

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

**THE DR. HENRY F. AND FLORENCE HILL GRAFF
SHELTER FOR GIRLS
JANUARY – MARCH 2010**

Facility: The Dr. Henry F. and Florence Hill Graff Shelter for Girls
8504 Mapleville Road
Boonsboro, MD 21713
Chief Administrator: Bruce Anderson

Date(s) of Visit: February 24, 2010

Reported by: Marlana Valdez

Persons Interviewed: Second shift staff, shift supervisor, youth

Date of Report: May, 2010

INTRODUCTION

The Dr. Henry F. and Florence Hill Graff Shelter for Girls ("Graff") is a 12-bed shelter for girls located in Boonsboro, Maryland. Most youth are from Washington and Frederick Counties. Graff is owned and operated by San Mar Children's Home, Inc. (San Mar). In addition to Graff, San Mar operates several programs for youth including, a group home for girls, a therapeutic group home for girls and treatment foster care program for boys. San Mar is licensed by the Department of Health and Mental Hygiene and serves youth with psychiatric diagnoses. Graff is licensed by the Department of Juvenile Services (DJS).

Youth are referred to Graff by DJS and the Department of Social Services. Graff is a short-term shelter for girls waiting for court placement in a residential treatment program. Girls may reside at Graff for up to 90 days.

CRITICAL FINDINGS

Graff Shelter is a nurturing environment for girls. The facility is clean and well-manicured, the staff are conscientious and caring, and most of the girls seem positive about their experience at the shelter.

FINDINGS

1. Population

Graff serves youth who have substance abuse, education, and family issues as well as youth who have violated their probation. Graff does not accept youth who present a threat of safety to themselves or to others. The residents at Graff range in age from 12-17 years old. Over the course of the quarter, from January through March, 31 girls have resided at Graff. The average length of stay during this quarter was 26.78 days. The average daily census was 9.

Graff maintains a 1 to 4 ratio of staff to youth.

Referrals to the shelter come primarily from Noyes and Waxter, secure detention centers housing girls, and one member of the staff visits these facilities to discuss girls who may not need secure detention and be appropriate for a shelter placement.

2. Safety and Security

Graff Shelter at San Mar has a hands-off policy regarding residents, and restraints are not used.

Five incident reports were filed during the quarter. Two reports were written in

response to suicidal ideations. Both youth were taken to the emergency room. Two youths ran away from the transport van and were later returned to the facility by law enforcement. There were no incidents of violence during the quarter.

3. Physical Plant and Basic Services

a. Fire Safety

The Shelter posts an emergency evacuation plan on the door of each youth's bedroom, and, staff members conduct a minimum of two fire drills per month. Supervisors test new staff on the emergency evacuation plan after initial training, and annually thereafter.

b. Physical Plant

The Graff Shelter facility is clean and orderly. San Mar goes to considerable effort to establish and maintain a warm home-like environment in its Graff Shelter. During a visit this quarter, all rooms were very clean and nicely furnished.

4. Education

The Maryland State Department of Education licenses the Graff education program at San Mar. Teachers offer an individualized program to help youth make a smooth transition back to school. Youth receive three hours of core instruction and an hour of physical education during the school day. A GED preparation program is available for youth who will not be returning to school when they leave the facility.

Two days per week after school, the girls attend a tech lab course.

5. Rehabilitative and Recreational Programming

a. Therapeutic Program

Given the short duration of a youth's time at Graff, therapy is offered on an as-needed basis by therapists who are on-call 24 hours a day and work primarily at the San Mar Group Home next door. In addition, a licensed social worker holds weekly group meetings. A psychiatrist is on contract to manage medication issues.

Youth learn life skills through daily activities including table set up, cleaning, cooking and doing their laundry.

b. Youth Treatment Files

During a monitoring visit this quarter, three youth files chosen at random were examined. All included appropriate assessments and forms, including forms demonstrating that physical, eye and dental exams were received within 30 days of

admission and initial assessments including the MAYSI, SASSI, and an educational assessment.

All files included a Safe Environment Plan as required by COMAR and a discharge plan. One file included an Individualized Treatment Service Plan (ISP), and two did not. Staff said that many girls are at the shelter for only a few days – not enough time to develop a Treatment Service Plan.

c. Recreational Programming

All youth participate in community service two times per week visiting a nursing home. Youth receive at least one hour of large muscle activity per day. Youth also have a social outing one weekend night per week.

During this quarter, youth went ice skating and to the movies. They also participated in yoga classes and learned to knit. During a monitoring visit, several girls were sitting in their rooms knitting in the early evening.

d. Behavior Management System

The behavior management system consists of three levels – Orientation, Community, and Honors level. Youth review behaviors and progress with staff twice each week and receive a weekly rating. After a certain number of days of being rated at the highest level, they move up to the next level.

Girls at Honors Level received special privileges including a private bathroom and more opportunities to go on recreational outings. Youth interviewed understood the behavior management plan and necessary behaviors to move up levels.

e. Parental Involvement

Parent visiting hours are from 12 p.m. to 3 p.m. on Saturdays and Sundays. Staff accommodate parent schedules by setting up additional visiting hours as needed.

6. Medical and Behavioral Health

There is a registered nurse at Graff who performs initial assessment of the youth. Youth self-administer their medication. A psychiatrist is on contract to manage medication issues.

7. Youth Advocacy, Internal Monitoring, and Investigations

Youth say that their Community Case Managers visit frequently. Although a Grievance Box is placed in the living room area, staff report that most grievances are handled informally.

A Department of Juvenile Services Program Evaluator visited the program on January 25 and February 17, 2010. During the first visit, employee records and personnel administration were evaluated. The program was found to be in full compliance in all areas. During the February 17 visit, the physical plant, sanitation, and health inspections were reviewed. Again, the program was found to be in full compliance with all COMAR standards.

CONCLUSION

The Graff Shelter appears to be in compliance with standards and appropriate services are being delivered to residents. Recommendations for significant improvement are not needed at this time.



MARLANA R. VALDEZ
Director

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

FACILITY REPORT
HADDON GROUP HOME FOR BOYS
JANUARY–MARCH, 2010

Facility: HADDON GROUP HOME FOR BOYS
4802 Haddon Avenue
Baltimore, MD 21207

Administrator: Ebony Vaughan

Dates of Visits: January 3
February 25
March 18 and March 22

Reported by: Tanya Suggs
Monitor

Persons Interviewed: Administrators, Directors, Supervisors, Leaders, Vocational Staff and Youth.

Date of Report: May 2010

INTRODUCTION

Haddon Group Home for Boys is the former Colbourne Group Home. The home is operated by the Maryland Mentor Network and is licensed by the Department of Juvenile Services (DJS/the Department). The Haddon Group Home for Boys was renamed after the program moved from Colbourne Street to Haddon Street at the end of 2008. Haddon Group Home is a non-secure group home and is located in West Baltimore City.

The home houses a maximum of four DJS boys, ages 15 to 17. The Department of Human Resources no longer utilizes the home. The maximum length of stay is thirty days and youth are subsequently moved to therapeutic foster care placement.

SUMMARY OF CRITICAL FINDINGS

- Incidents are under- reported.

FINDINGS

1. Population

The home houses a maximum of four boys. Over the entire quarter, seven boys resided in the home; two were placed in the home in March; two in February; and three in March.

2. Staffing

a. General

There were no staff vacancies or leadership changes during the quarter and the appropriate staff to youth ratio was maintained throughout the reporting period.

b. Staff Credentials

The Group Home Manager received required childcare administrator certification. The Program Manager recently applied for certification.

Applicable Standard

COMAR 14.31.06.06A.3 *The Program Administrator should be certified as required by Health Occupations Article, Title 20, Annotated Code of Maryland.*

3. Safety and Security

The home has a very low rate of critical incidents. This quarter no incidents were reported to DJS or recording in the DJS Incident Reporting Database. However, the Monitor reviewed the logbook and discovered that a number of non-critical but reportable incidents occurred in the home.

A review of the logbook and interview with the Administrator showed that at least five reportable incidents occurred. The incidents include one AWOL, one sick youth requiring emergency care, contraband, a missing medication cabinet key, and a confrontation between two youths.⁶

Applicable Standards

COMAR 14.31.06.18.A *The licensee shall within 24 hours of any critical incident, submit a critical incident report to the licensing agency, the contracting agency, and the placement agency.*

DJS Policy 03-07-4a (4) *The DJS Incident Reporting Form (Appendix1) shall be used to report all incidents (critical and reportable) related to public safety and the proper care, health, safety, and humane treatment of DJS youth.*

4. Physical Plant and Basic Services

a. Fire Safety

The fire inspection was completed on October 5, 2009. No findings were noted.

b. Physical Plant

The home and furniture are in excellent condition. The interior and exterior of the home are very clean. The neighborhood is quiet and well kept. The boys keep their rooms clean.

The home is free of debris and environmental hazards. However, the Monitor noted an unlocked cleaning agent closet. Hazardous chemicals should be stored and secured at all times.

c. Basic Services

The last health inspection was completed on October 21, 2009. The next inspection is due in October. No findings were noted.

A radon test was completed on February 3, 2010. The home passed.

⁶ The logbook does not elaborate as to whether this was a verbal or physical altercation.

The youth reported that the food is good, staff treats them well, and they receive all meals as required with snacks in between meals.

The home has appropriate space for recreation, private discussion, visiting, and counseling.

5. Education

a. General Educational Development Program (GED), College Courses

Until recently, on admission into the home, the youth attended the Phoenix Resource Center until they were enrolled in public school. According to MMN administrators, they closed the resource center and increased the GED and Adult Basic Education services at the MMN center.

Youth who are already enrolled in school continue to attend the same school upon entrance into the home. Youth who are not enrolled in school are taken to the center along with other youth every morning until they are enrolled in a school. The Monitor and administrator discussed academic options for youth who are waiting to be enrolled in school. These youth should attend classes at the center temporarily until they begin school.

At the end of the quarter, two education files were reviewed during a Monitor's visit to MMN to ensure that the youth are appropriately placed in educational programs. Files of a pre-GED youth and a youth who had already obtained his GED were reviewed. The GED file indicated that the youth was enrolled in the Baltimore Teens in Transition PETPO (Pre-Employment Training and Placement Office) program and was offered job site training. The pre-GED file contained a pre-GED test, but there was no formal documentation or indication that the youth was enrolled in a tutoring program or pre-GED classes. The forms in the file were missing the youth's signature which is required.

Youth interviewed this quarter did not express any major concerns with their education. At the beginning of the quarter, a few youth informed the Monitor that they had not been enrolled in any educational or vocational programs since their arrival at the home, and had only been sitting around at the Center⁷. The Monitor and the administrator discussed options on how to engage new youth in productive programming while they are pending academic or vocational placement. MMN agreed to allow new youth to participate in educational and vocational programming at the Center until they are officially enrolled in an academic or vocational course. By the end of the quarter, sufficient documentation existed to show that at least one of those youth was eventually enrolled in Maryland Mentor Network's vocational program.

⁷ The Center is the office for Maryland Mentor Network, the parent company for Haddon House. Some programs operate out of the Center, including the GED, vocational, and therapeutic programs.

b. Vocational Education

Youth who are working to obtain their GED and youth who have already obtained their GED or high school diploma are placed in the Baltimore Teens in Transition PETPO program. The program provides assistance to career schools, community colleges, and job training sites. MMN provides a stipend for youth who attend the program. The youth are placed on a job-training site upon completion of the 6 to 8 week pre-vocational training portion of the program.

Applicable Standard

COMAR 14.31.06.12.A(1) (c) (ii) *Ensure that each child above the mandatory school age who has not yet received a secondary school diploma or certificate of completion under COMAR 13A.03.02.02 participates in a tutoring program to prepare the child to take the General Education Development Test.*

6. Rehabilitative and Recreational Programming

The Monitor interviewed several youth throughout the quarter. Many of the youth expressed their satisfaction with the recreational outings offered by the program. The youth reported that they attend many weekend outings. The home has improved in the area of recreational programming. The Monitor observed and noted the increase in the number of program resources such as books and games.

Maryland Mentor Network donated two computers to the home, however, an internet connection has not been installed. The Monitor and Group Home Director discussed the need to have a mechanism for blocking certain types of sites, including social network sites.

7. Medical

Medical services were not reviewed this quarter.

8. Youth Advocacy, Internal Monitoring and Investigation

a. Youth Advocacy

Youth submitted no grievances this quarter. The youth report that incidents in the home hardly ever occur and that the home is “laid back,” but whenever they are faced with a challenge in the home, they are able to resolve it with the assistance and counseling of staffers.

b. Internal Monitoring

This quarter a DJS Quality Monitor visited the home on January 26 and February 4. The areas reviewed included:

- Physical plant/health inspections
- Fire safety
- Food services
- Incident reporting
- Basic life needs
- Orientation and student handbook

A subsequently issued DJS Quality Assurance Program Evaluation report, dated March 11, noted incidents at the facility were not entered on the DJS Incident Database. The report also states that, judging from the Incident Database, the program had not reported any incidents since November of 2009.

The same report indicates that the home has created a new Child Abuse and Neglect Policy. The home must submit the new policy to DJS for review and approval.

There were no critical findings based on the program evaluation reports.

RECOMMENDATIONS

1. Administrators should ensure that all youth are placed in educational programming in a timely fashion.

UNABATED CONDITIONS

1. The Program Manager should apply for childcare certification.
2. Haddon should report all incidents that take place in the home.
3. Administrators should consistently review the logbook to ensure that incident reports have been completed and entered into the Incident Reporting Database by DJS.



MARLANA R. VALDEZ
Director

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

FACILITY REPORT
CHARLES HICKEY SCHOOL
JANUARY – MARCH, 2010

Facility: Charles Hickey School for Boys
2400 Cub Hill Road
Administrator: Mark Hamlett

Date(s) of Visit: January 6, January 13, January 15, January 27,
February 24, March 16, March 31

Reported by: Tanya Suggs
Monitor

Persons Interviewed Administrators, Education Administrators and Staff,
Medical Administrators and Staff, Shift Commanders,
Unit Managers Direct Care Staff, Maintenance,
DJS OIG, and Youth.

Date of Report: May, 2010

INTRODUCTION

The Charles H. Hickey School is a Department of Juvenile Services (DJS) owned and operated detention facility for male youth between the ages of 12 and 18. The facility is located in East Baltimore County. The facility can house 109 youth in the four sleeping cottages, including 23 in the intake/orientation unit and 8 in the infirmary at Douglas Hall. All residential buildings are located behind two electronically alarmed fences with razor wire.

The Maryland State Department of Education provides educational services to the youth. MSDE is housed in several modular trailers.

SUMMARY OF CRITICAL FINDINGS

- Seclusions and Suicide Attempts/Ideation/Gestures/Behaviors have increased significantly within the past year. Staff need more oversight by facility supervisors.
- Child abuse allegations were not reported in the DJS Incident Database as required.
- Alleged verbal abuse by staff towards youth was ruled substantiated by the DJS Office of Inspector General.
- Hickey and Peabody school do not have video surveillance.
- Youth need better supervision.
- During mechanical breakdown of portions of the facility's fire alarm system, staff failed to adhere to the Maryland State Fire Marshal's fire watch protocol.

FINDINGS

1. Population

a. General

Facility Capacity	High Population	Low Population	Average Daily Population	Average Monthly Population	Number of Days Over Capacity
101	100	66	88	January- 76 February- 93 March- 95	0

According to the administrator, Ford hall was temporarily closed between the end of last quarter and the beginning of this quarter due to understaffing and the facility's effort to reduce staff overtime. Ford Hall reopened in the latter part of January. Administrators assigned Ford Hall staffers to the three remaining cottages.

In April, Ford Hall closed again, and the facility's maximum rated capacity fluctuated between 83 and 86, although there were only 78 beds available among Clinton, Mandela, and Roosevelt Halls. Overflow youth were sent to "sleep-out" in the infirmary. According to the population reports, population increased by 7% by the end of the quarter.

b. Detention and Pending Placement

	Number of Youth in Status 60+ Days	Number of Youth in Status 90+ Days
Detention	6 (69, 70, 79, 80, 82, 85 days)	5 (91, 92, 112, 116, 122 days)
Pending Placement	7 (81, 83, 63 [2 youth], 66 [2 youth], 79 days)	10 (95 [2 youth], 102, 108, 118 [2 youth], 119, 120, 122 days)

Six youth remained in detention at Hickey for over 60 days this quarter. Ten youth were held in pending placement for more than 90 days, with five youth having been at the facility for nearly four months. An additional 7 youth were in pending placement status for more than 60 days.

c. Disproportionate Minority Contact (DMC)

**Population Breakdown by Race/Ethnicity
3rd and 4th Quarter, 2009 and 1st Quarter, 2010**

	3rd Quarter, 2009	4th Quarter, 2009	1st Quarter, 2010
Total # of Youth Detained	368	306	301
White	66	37	64
African American	289	255	224
Latino	9	10	10

Other	4	4	3
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2. Staffing

According to the administrator, there is one Assistant Superintendant vacancy and there are three Residential Advisor positions. It is uncertain when these vacancies will be filled.

3. Safety and Security

a. Aggregate Incidents

1st Quarter Aggregate Incidents for 2009 and 2010

Incident Categories	1st Qtr (2009)	1st Qtr (2010)
1. Youth on Youth Assault	41	46
2. Youth on Staff Assault	5	2
3. Group Disturbances (with bodily harm or property damage)	2	0
4. Group Disturbances (without bodily harm or property damage)	0	1
5. Physical Restraint	44	44
6. Seclusions more than 8 hours	0	0
7. Seclusion	3	14
8. Youth Requiring On-Grounds Medical Care	23	40
9. Escapes From DJS Custody (off grounds)	0	1
10. Alleged Physical Child Abuse (DJS Custody)	2	0 ⁸
11. Suicide Attempts, Ideation, Gestures, Behavior	12	25

According to the DJS Incident database, there were 138 incident occurrences during the first quarter of 2009 compared to 167 during the first quarter of 2010. The number of Seclusions and Suicide Attempts, Ideation, Gestures, and Behaviors increased significantly this quarter as compared with the same time period last year. However, there was only one group disturbance this quarter, and it did not result in harm to staff or youth of property damage. Youth on Staff Assaults also decreased as compared to the 1st Quarter of 2009, from 5 to 2. Most incidents continue to occur on Ford Hall/orientation⁹.

It still appears that DJS is not capturing all alleged physical abuse and neglect incidents through its internal reporting system. According to the DJS Incident Database,

⁸ The Monitor received two allegations of child abuse from Baltimore County Child Protective Services, although only one was accepted for OIG investigation.

⁹ Sixteen percent on Ford Hall and 16% percent at the east campus gym. During the first quarter of 2009, 20% of all incidents occurred on Ford Hall.

incidents of alleged physical child abuse declined from two during first quarter of 2009 to zero this quarter. However, during the quarter this office received two reports of alleged physical abuse, from Baltimore County Child Protective Services.

b. Staff Supervision

Questions about the appropriateness of staff supervision and behavior were raised this quarter. These issues include youth allegations that staffers were verbally and physically abusing the youth and that restraints and social separation were used inappropriately.

In a routine visit to Hickey by the Office of the Public Defender on February 1, youth reported that staff members, including two direct care staff, were verbally abusive to them, swearing, yelling at them, and calling them names.

Another youth told his public defender that a staffer cut his shower time short and placed him in “social separation” after he expressed the boys’ discomfort with her presence as they showered. The Monitor followed up on this complaint. The staff member said she felt “disrespected” by the youth, but did not say she used any de-escalation techniques before placing the youth in social separation as required by DJS Policy.

The youth also complained that staffers had not allowed them to call their public defenders or probation officers since being detained at Hickey. One youth said he had been at Hickey for over one week and had not seen his Facility Case Manager, Mr. Ross, or been allowed to make any calls to his family or attorney.

The DJS Office of Inspector General investigated these complaints. The investigative report found that youth do not receive two phone calls per week as required by DJS. This includes phone calls to Public Defenders and Probation Officers. policy. According to the information in the OIG report, OIG investigators determined that Case Managers are ...” often too busy to engage in meaningful activities to include allowing students to make telephone calls.”¹⁰ The report also indicated that investigators determined that there are occasions when staffers use profanity and make inappropriate comments to youth.

c. Escape

A youth escaped while being transported back to Charles Hickey from GBMC hospital. Staff stopped the van to allow the youth to vomit on the side of a road after he complained of chest pains and nausea. When the staff opened the back door of the van for the youth to exit, the youth pushed pass the staff and fled. Although two staff members were in the van, both sat in the front, so no staff member was sitting next to the youth. Therefore, the youth was able to slip out of his handcuffs and leg irons

¹⁰ Department of Juvenile Services OIG report dated April 5, 2010- Complaint from Office of Public Defender, Juvenile Protection Division.

without the staffers' knowledge. Law enforcement apprehended the youth in Baltimore City three weeks after he escaped.¹¹ Staff should maintain direct supervision of youth by sitting with the youth while they are transported to and from appointments.

d. Security Equipment and Practices

The residence halls at Hickey and the school building do not have internal video surveillance. The absence of video surveillance remains an unabated issue. The installation of video surveillance is essential to ensure the safety and security of staff and youth. Furthermore, video review can be used as a training tool for staff.

e. Supervision of Youth

In February, a staffer failed to appropriately supervise a group of youth in the gymnasium area. At the time the staff left his post, a fight ensued between two youth. There were no other staffers present. According to the OIG report, one youth was picked up and slammed to the floor – head-first. This youth began to experience “seizure like symptoms.” A youth ran out of the gym to get help from a staffer who was in his office. The nurse appeared on the unit several minutes later. According to the nurse’s report of youth injuries, the injured youth sustained a bloody lip, swelling on the left side of his head, and complained of having a headache.

On March 18, a staffer was left to supervise a Suicide Watch Level 3 (SW3) youth in addition to five other youth. A fight ensued between the SW3 youth and another youth. There were no additional staffers present to assist with breaking up the fight. The youth on youth assault could have been prevented with the presence of another staffer¹². The one to one supervision of a youth placed on SWL is essential to the well being of the youth and is a serious practice. The safety of the SWL 3 youth is put at high risk when a staffer is required to supervise additional youth while monitoring an SWL3 youth.

On an unannounced late night visit, the monitor observed lack of supervision on Roosevelt and Clinton Halls. On Roosevelt Hall, one youth was observed mopping the floor of the recreation area without the presence of a direct care staff. In addition, there were no staff present in the rear of the cottage to supervise the remaining youth who were asleep.¹³ The two staffers and two youth were in day area chatting. On the same night, on Clinton Hall, a youth was walking to the bathroom without a staffer’s supervision. The two staffers were posted in the rear of the cottage, and facing inward to an unused control booth, while eating.

¹¹ On Sunday, May 2 (not during the 1st Quarter, 2010,, four youth attempted to escape the facility. Two youth successfully escaped. At the time of issuance of the report, one youth had been arrested and one was at large. DJS and Maryland State Police investigations are pending. This incident will be fully reported in the 2nd Quarter, 2010 Report.

¹² Incident Report #81099

¹³ The Monitor was informed that these were level four youth. Level four youth should have been secured in their rooms by the time the Monitor visited the cottage, which was after 10 pm.

There are not any Unit Managers to provide oversight to direct care staff. Unit managers are responsible for the direct care and supervision of youth and staff on the cottage. It is uncertain as to whether the facility has an F.O.P that requires the presence of a Unit Manger on each cottage. A shift commander was responsible for the oversight of direct care staffers and youth on this particular night. However, staffers have reported that the absence of a Unit Manager is common because many have been promoted to the Shift Commander position. It is neither practical nor feasible for a shift commander to supervise all units without the assistance of Unit Managers. Staff oversight might decrease the lack of supervision and prevent incidents.

f. Incident-Related Procedures, Practices, and Reporting

In the social separation incident discussed above, under “Staff Supervision”, the staff member did not document the incident in the Unit Log Book as required by DJS Policy. The policy requires that all sanctions, including time out and social separation, be entered in the unit logbook.

The Monitor followed up on youth complaints of staff misconduct and DJS policy breaches by randomly checking logbooks on Douglas, Clinton, and Mandela housing units. No signatures of Shift Commanders or supervisors were found, indicating that they were not reviewing Unit Log Books at the end of each shift as required by DJS Policy. The Unit Log Books also failed to contain signatures demonstrating that an Assistant Facility Administrator had reviewed them three times weekly or that the Facility Administrator had reviewed them weekly as required by DJS Policy.

Although it is possible that some of these reviews occurred as required, the random sample of Unit Log Books reviewed demonstrated that reviews were not being conducted regularly.

Notations of unit visits and observations by supervisors were also lacking. While no formal DJS policy or standard requires supervisory visits to units at regular intervals, the Superintendent may wish to develop an internal procedure requiring these visits, particularly because they can provide good modeling and on-the-job training opportunities for staff.

The Monitor informed the Superintendent of the findings and of her interviews with youth and staff. The administrators took corrective action by signing and dating the unit logbooks after they have reviewed entries from each shift.

Applicable Standard

Maryland Department of Juvenile Services Policy and Procedure CPM Management Technique RF02-07(4) (a) (1) (i) *In accordance with DJS approved CPM training, employees shall...attempt to incrementally exhaust the following preventive intervention levels to de-escalate and defuse a potential crisis:*

- (a) **Level One** - Non-verbal strategies and directive verbal commands.*
- (b) **Level Two** - Communication techniques, including expressions of empathy and understanding; re-expression; diversion and distraction; reassurance and encouragement; problem solving; and warnings about the consequences of continued inappropriate behaviors (i.e. behavior may result in restraint).*
- (c) **Level Three** - Directive touch.*
- (d) **Level Four** - Physical or mechanical restraint, social separation or seclusion.*

Maryland Department of Juvenile Services Policy and Procedure (4) (e) (2). *Employees are responsible for making log book entries relevant to, but not limited to, the following events...(vii) all sanctions that are imposed on the unit (e.g. time out, cool off, etc.)...*

Maryland Department of Juvenile Services Policy and Procedure RF-05-06(4) (f) (1) *The Manager on Duty or supervisor shall review the log book on each shift and sign and date their entry. When a logbook entry is not consistent with this Policy and Procedure the Manager on Duty or supervisor shall make a notation in the log book and communicate the inconsistency to the employee.*

Md. Standards for Juvenile Detention Facilities 5.1.3.1 *Each facility shall develop a staffing plan which shall be reviewed and reassessed annually consistent with changes in population, facilities activities and services.*

Maryland Department of Juvenile Services Policy and Procedure RF-05-06(4)(f) (3) and (4) *Assistant Facility Administrators and other designated administrators shall review log books at a minimum of three times per week. They shall sign and date the log book to document their review.*

The Facility Administrator shall review log books at a minimum of once per week to ensure the completeness and accuracy of the information recorded, and sign and date the log book to document their review.

Md. Standards for Juvenile Detention Facilities 6.9 *The facility shall be controlled by appropriate means to ensure that the youth remain within the perimeter and to prevent access by the general public without proper authorization. Perimeter surveillance shall be maintained through mechanical surveillance devices (e.g., electronic, pressure, or sound detection system, mobile patrols, or a combination of these systems).*

Post Orders Policy RF-07-07-4a (4) *Employees shall remain at their assigned post until properly relieved or authorized to leave by a managerial employee.*

Maryland Department of Juvenile Services Standards of Conduct 2.2.3. *An employee acting in his or her official capacity may not use any coarse, profane, or insolent language, or take action towards other employees, supervisors, delinquent youth, offenders, clients or members of the public that is abusive or otherwise considered offensive.*

Youth's Rights Access to Legal Counsel RF-01-06 (4) (a) (5) (6) *Youth may not be denied the right of access to legal counsel as punishment, disciplinary action or for failure to attain an educational or counseling measure or goal. Youth shall have access to legal counsel in person or by telephone at all reasonable times or hours.*

Youth's Rights- Telephone Calls- RF-10-05(3) (3) *Each youth is allowed a minimum of two telephone calls of ten minute duration per week at the Department's expense. These telephone calls shall not be denied for disciplinary reasons.*

Case Management for Detained and Shelter Care Youth CJ-2-05(1) *The Facility Case Management Specialist shall maintain daily contact with the youth...ensure that prescribed services are made available and delivered.*

4. Physical Plant and Basic Services

a. Fire Safety

On March 22, the Fire Alarm Control Panel (FACP) in the gatehouse failed. According to the maintenance supervisor, the problem applied to Mandela Hall – the main control panel would not receive a sound alert if a fire were to occur on Mandela, but the alarms would still signal on Mandela.

Administrators reported that a fire watch protocol was set in place. A “fire watchman” would make external rounds outside of Mandela and communicate with staff inside the cottage every fifteen minutes, as required by the Maryland State Fire Marshal, to ensure there were no problems inside the cottage.

The Monitor reviewed the Mandela youth movement logbook and the fire watch man logbook to ensure that proper protocol was followed. The logbook indicated that the fire watch man guidelines were not adhered to as required by the Maryland State Fire Marshal. According to the Mandela and fire watch man, logbook checks occurred every 30 minutes or more. In the fire watch man logbook, many of the times were crossed out or written over; therefore, whether checks were done at all on certain days is questionable.

The problem with the Fire Alarm Control Panel was corrected on March 27 by Fireline, a company in Baltimore County that provides fire protection equipment and services to Hickey.

The Monitor reviewed the facilities Clinton and Mandela logbooks and fire drill forms to ensure that fire drills were conducted. The logbooks did not indicate that fire drills were conducted during the months of February and March as stated on the fire drill forms. The administrator called other areas of the facility to verify whether drills were done, but staffers were unable to locate any documentation that would verify that drills had been done. Facility leadership was unable to explain why fire drill forms had been

completed showing that fire drills were performed but the actual drills were not recorded in Unit Log Books. This raises the question as to whether someone falsified the fire drill forms, but administrators were unable to explain the discrepancy.

The Monitor recommended that the facility create a Facility Operating Procedure for Fire Alarm System failure since the alarm system at Hickey appears to malfunction every few months. The protocol should clearly provide for regular checks on residence halls by a roving staffer and regular fire checks by staffers working inside the residence halls during the night hours.

b. Physical Plant

During monitoring visits, half the time the Monitor found the cottages well maintained with the exception of the bathrooms. Due to the old age of the buildings, the bathroom areas have an unpleasant odor and have stained walls and shower areas. Often times the toilets have drainage problems or the youth do not flush the toilets.

However, youth from Mandela and Clinton Hall have reported that the units are dirty, and that they have gotten sick because of the dirty environment.

The TMA, the administrative building, needs additional storage space. Office supplies and hazardous cleaning agents are kept on open shelves in the supply coordinator's office. Youth have access to hazardous chemicals and potential contraband because they visit the office occasionally to assist the coordinator with light duties.

c. Basic Services

The last health/environmental inspection was conducted on December 14, 2009 by the Baltimore County Health Department. No violations were noted.

Applicable Standards

Md. Standards for Juvenile Detention Facilities 5.2 *All detention facilities shall conform to state fire safety requirements. The State Fire Marshal is responsible for inspecting state institutions and insuring appropriate safety procedures.*

Maryland Department of Juvenile Services Policy and Procedure RF4-07-4 A (3) *Each facility will develop Facility Operational Procedures (FOP) for the reporting of any maintenance, security or safety concerns.*

COMAR 14.31.06.08.A. Emergency Planning. *The licensee shall: (5) Hold emergency drills: (a) At least monthly; (b) On each shift, at least quarterly.*

Maryland Department of Juvenile Services Policy and Procedure RF-05-06-4 C (10) *Under no circumstances shall any entry in the logbook be eliminated. There shall*

be no erasures or crossed-out sections which cannot be read as a result of being crossed-out. White-out shall not be used. When a mistake is made, a single line shall be used to cross out the mistake and the employee making the entry shall initial the mistake.

Maryland Department of Juvenile Services Policy and Procedure RF 4-07 (11) *Employees in the Resident Advisor Supervisors Series will conduct safety and sanitation inspections of all living units on a weekly basis. The inspection will address maintenance issues within the living units including pipe chases, bathrooms, showers, and any other rooms within the living unit directly accessible to youth. The inspection will be reviewed by the Facility Administrator or Assistant Facility Administrator and documented using the **Facility Administrators Weekly Inspection form (Appendix 2)**.*

5. Education

a. Classes

There are two special education teacher vacancies. Currently there are only two teachers for special education.

Due to the shortage of special education teachers, youth housed in the infirmary are not receiving all educational requirements, including Individualized Education Plan (IEP) services as required by MSDE policy.

According to the infirmary logbook, the teacher cancelled visits to the unit, arrived late, or called out because classroom coverage was needed on the MSDE unit.¹⁴ The teacher is neither able to attend the infirmary on time and on a daily basis nor is she able to administer to the individualized needs of each youth.

The Monitor reviewed five youth education, two of which were files for youth in special education. According to their IEP, the youth required additional class time, “reduced distraction,” visuals, and one-on-one instruction.

Although MSDE plans to hire two special education teachers, the infirmary will still only have one teacher. Many of the youth at the facility are special education youth who require individualized services (IEP’s); therefore, MSDE should considering placing two teachers on duty at the infirmary.

b. Other

Historically, MSDE and DJS staff have complained about lack of communication between the two groups. A notable improvement has been made with advent of weekly

¹⁴ January 11 at 8:29 am; January 22 at 8:48 am; January 26 at 8:30 am; January 29 at 8:48 am; and February 1 at 8:48 am.

meetings among Hickey Administrators, MSDE Field Directors, and the MSDE Assistant Superintendent. At these meetings, staff address in-house issues and collaboration/communication issues.

MSDE and DJS are collaboratively developing a formal “safety/security” policy that details the roles of DJS staff and a protocol for teacher and staff safety. The new policy includes the following requirements:

- MSDE staff must leave the building prior to the Principal’s departure for the day;
- Teachers are prohibited from accepting students who are not assigned to their class;
- Staff are required to sign in and out at the gate house and sign in, and to sign in and out of the MSDE building;
- Staff are prohibited from conducting one-on-one testing with youth without a direct care staffer present on the outside of the classroom;
- Only MSDE staff are allowed to be in possession of keys to the MSDE modular units.

c. General Educational Development Program (GED), College Courses,

The youth become eligible to take the GED test when they complete pre-GED work. The test is administered monthly at the MSDE site.

d. Vocational Education

The facility does not have a vocational program.

Applicable Standards

Md. Standards for Juvenile Detention Facilities 4.1 *The Department should ensure that educational services within the detention facility are consistent with state requirements and that they meet the educational needs of the youth.*

6. Recreational Programming

Youth receive 2 hours of structured recreational and leisure programming daily, including 1 hour of large muscle exercise.

In February, the youth participated in the Charles Hickey School Haiti-A-Thon to raise money for the victims of the earthquake in Haiti. They played sports and recreational activities during an all-day event. Hickey and MSDE staff sponsored the youth; they raised \$453.00.

The Facility Advisory Board Liaisons and Hickey Aides developed and conducted activities for the Freedom Rider’s Book Club. Freedom Rider’s Book Club provides the

youth with a variety of social development and critical thinking skills through academic exercises. Some of the activities include the study of current events and strategizing with word games, puzzles and word problems. The program also teaches about forgiveness, caring, empathy, and gratitude.

In March, a mentoring program, Youth Pride Services, was introduced to the campus through a grant from the DJS Community and Family Partnerships office. The program provides 10 hours per week of mentoring and chess instruction. The two components of the program are Adolescent Male Empowerment Network (AMEN) and Let Us Teach You Chess.

During the closing of Ford Hall, Case Managers were responsible for providing orientation sessions. Based on youth interviews, logbook and youth file reviews, all youth did not receive a new resident orientation. Certification of Orientation Forms are signed by youth to indicate that a case manager completed the orientation process. Many youth files did not contain a certificate. Additional documentation that youth complete during orientation was missing from youth files.

Applicable Standards

Maryland Department of Juvenile Services Policy and Procedure RF-03-07-4C (1)(2) *Within 72 hours all youth shall complete an orientation process.*

Each youth shall be provided with a written orientation packet and have the items read or interpreted for the youth in a language that the youth understands. Each youth shall sign an Orientation Checklist.

7. Medical and Behavioral Health

a. Basic Medical Services

The number of Youth requiring on-grounds medical care has almost doubled this quarter. A significant number of youth have injured their ankles playing sports.

Throughout the quarter, the Monitor received grievances complaining of poor-quality sneakers that tear easily and wear out quickly. The Monitor has also observed that the sneakers are of poor quality and do not provide ankle support for youth engaged in physical activity. According to the Facility Administrator, new sneakers are purchased on a rotating basis. The Monitor recommends that the Department contract with a company that provides high-top sneakers that are designed for sports-related activities and physical recreation to decrease the incidence of ankle injuries. This issue is not exclusive to Hickey school.

Medical reported that they wrote many physician's orders because the youth were not wearing the proper type of shoes.

c. Mental Health Services

The youth receive individual and group mental health services from Glass Mental Health. Mental health services were not reviewed this quarter.

8. Youth Advocacy, Internal Monitoring and Investigation

a. Youth Advocacy

According to the Grievance Summary Report, youth filed thirteen grievances this quarter. The grievances pertained to the youth not having gloves, the need for hair grease, inappropriate administering of medication, problems with administration of points in the behavior management plan, and the need for bed sheets. The grievances were resolved in a timely fashion.

Several youth have grieved to their public defender that they have not received their medicine on time. One youth reported to his public defender that medical refused his sick call. This youth had a very bad cold and asthma complications.

Some of the youth who are fathers expressed their concerns that the visitation policy does not include receiving visits from their children. The youth reported that Hickey only allows a child to visit if the resident is in a placement or if they are preparing to depart for placement.

The Facility Administrator informed the Monitor that youth receive visits from their children on "Special Visit Days," days scheduled outside normal parent/guardian visitation days. Since youth appear to be unaware of this policy, the Monitor suggested that "Special Visit Days" be included in the youth orientation booklet and that case managers inform youth about it during orientation.

b. Internal Monitoring

The DJS Office of Quality Improvement issued its most recent report on June 12, 2009.¹⁵

c. Incident and Child Abuse Reporting and Investigation

There were six formal investigations by the Office of Inspector General during the quarter¹⁶. DJS and Baltimore County Child Protective Services (CPS) conducted three investigations of alleged physical child abuse.

¹⁵ <http://www.djs.state.md.us/quality-assurance/qir-chhs.pdf>. The facility was made Superior Performance in 4 areas of compliance; Satisfactory Performance in 27 areas; Partial Performance in 4 areas; and Non- Performance in 3 areas of compliance.

One youth reported an incident in which he witnessed two staffers challenge a youth who was making repeated suicidal gestures to “Go ahead and do it...you are not man enough, and you don’t have the balls.” Based on the investigator’s interviews with youth and staff this allegation was unsubstantiated.

A youth alleged that staff threw him in the corner and hit him with handcuffs when he tried to stop the staffer from physically forcing him to a back room. Although the youth sustained superficial abrasions to his forehead, left ear, and left cheek, DJS and CPS ruled out all allegations of abuse due to a lack of sufficient evidence.

One report alleged that a staffer had abused three youth by punching, head-butting, and slamming one of them into a sink, because he was upset that the youth were “horse-playing” in the bathroom. DJS ruled the allegation as sustained for the staffer’s “attitude and treatment towards the youth” and the absence of supervision while the youth engaged in horse play but did not sustain the allegation for excessive use of force or physical abuse.

RECOMMENDATIONS

1. The Department should expedite the hiring process to fill the staff vacancies.
2. Supervisors should review and sign the Unit Log Books at the end of each shift and should conduct unannounced observation visits to units on a frequent basis.
3. Shift Commanders should stop in on units at the end of each shift to lead quick debriefing of incidents occurring during the shift. This would enhance on-the-job training of staff.
4. Staff should exhaust all other means of deescalating a situation before placing a youth in social separation.
5. Staff should sit with youth and provide direct supervision during the transportation of youth to and from appointments.
5. Staff should document all incidents in the Unit Log Book.
6. Assistant Facility Administrators and Facility Administrators should review Unit Log Books as required.

7 Three Alleged Physical Child Abuse OIG# (10-79918), (10-81248), (10-80365), no tracking number for PD complaint investigation- dated April 5; two Inappropriate Comments/Conduct by Staff- 10-80365, and an Escape-off –grounds-OIG# 10-80032.

7. The facility should hire unit managers and assign one to each unit for all shifts to provide oversight to direct care staff and youth.
8. The facility should create a Facility Operating Procedure (FOP) for fire system failure and fire watch man protocol.
9. Administrators should ensure that fire drills are held as required.
10. Administrators should review and cross-reference fire drill forms completed by staff to ensure the validity of documentation.
11. Administrators should discontinue the use of a staff office as storage space and secure office supplies and hazardous chemicals if youth frequent the area.
12. MSDE should fill the two special education teacher vacancies and hire an additional teacher to provide appropriate services to IEP youth housed in the infirmary.
13. The facility should ensure that case managers conduct a thorough orientation as required.
14. The Department should contract with a vendor that can provide appropriate sneakers for sports and recreational activities.
15. The Medical Supervisor should cross-reference sick call forms and the sick call logbook to ensure that medical staff see youth who place sick calls.
16. Administrators should include "Special Visit Days" in the youth handbook and discuss during the orientation process.

UNABATED CONDITIONS

1. Administrators should review the database and cross-reference CPS allegations to ensure that all allegations of abuse and neglect are entered into the DJS Incident database.
2. Administrators should review documentation to ensure that case managers are allowing youth to make phone calls consistently, as required by policy.
3. DJS headquarters should complete installation of video surveillance.
4. Administrators should ensure that staffers assigned to one-on-one suicide watch supervision are not supervising additional youth.



MARLANA R. VALDEZ
Director

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

FACILITY REPORT
KARMA ACADEMY FOR BOYS, RANDALLSTOWN
JANUARY – MARCH, 2010

Facility: Karma Academy
4202 Holbrook Road
Randallstown, MD 21133
Program Director: Kay-Megan Washington

Date(s) of Visit: February 26

Reported by: Tanya Suggs
Monitor

Persons Interviewed: Direct Care Staff, Youth, Director, Program Coordinator,
Therapist

Date of Report: May 2009

INTRODUCTION

The Karma Academy (“Karma”) is an 8-bed unlocked, privately managed residential program for boys. Karma is licensed by the Department of Juvenile Services (“DJS”) and operated by KHI Services, Inc. The program serves chronic low-level offenders with a focus on youth who need sex offender treatment and services. On average, the program takes between 6 – 9 months to successfully complete.

SUMMARY OF CRITICAL FINDINGS

- Direct Care staff who run therapeutic groups do not receive specialized training for working with youth with sex offending histories.
- Youth alleged that a staffer was taking photos of youth while they slept, but upon investigation, DJS’ Office of the Inspector General did not find sufficient evidence to substantiate the allegation.
- The grievance policy described in Karma’s Residential Handbook violates the DJS grievance policy and should be corrected.

FINDINGS

1. Population

The population has remained consistent throughout the quarter with seven to eight youth in residence. Youth have been completing the program successfully.

2. Staffing

Two Direct Care staffers transferred to the home from Karma Rockville when the Rockville program closed. KHI Services Inc. eliminated the Program Coordinator position this quarter due to funding issues.

KHI services decreased staffers’ hours to 24 hours per week with the exception of the team leader’s work hours which were decreased to 32 hours per week. Staffers reported that the home decreased the hours of Randallstown staffers so that they would be shared with the two staff who relocated from Rockville. DJS and KHI have not provided training to the direct care staff in the treatment of sex-offender youth although the program’s therapist has completed a training program on treating youth with sex-offending histories. Staff is also responsible for facilitating groups, and several staff did not appear to be thoroughly knowledgeable about the therapeutic model when discussing the program with the Monitor.

3. Safety and Security

a. Aggregate Incidents

There are a very low number of incidents in the home. On-grounds medical care related to sports injuries seems to be the most frequent type of incident in the home. The number of serious incidents significantly declined between the 4th Quarter, 2009 and this quarter.

In the 4th Quarter, 2009, there was one AWOL, one Alleged Inappropriate Comment by Staff, one Destruction of Property, and one Youth Requiring Non-Routine off Grounds Medical Care. This quarter there were two Youth Requiring Non-Routine off Grounds Medical Care (Sports or Non-Incident Related Injury), two Youth Requiring on Grounds Medical Care, and one Alleged Inappropriate Comment/Conduct by Youth.

b. Youth Allegation Against Staff Member

In December 2009 a staffer allegedly snuck into the room where two youths were sleeping and took photos of one youth while he slept.¹⁷ The youth's roommate was awake and witnessed this incident. The youth reported this incident to the Program Coordinator and Administrator. The youth reported to Monitor that he has witnessed this staff taking photos of youth on more than one occasion but he was afraid to tell anyone out of fear that his peers or staff might not believe him and that the staff and youth might be perceive him as weird.

The DJS Office of Inspector General (OIG) conducted an investigation. According to the OIG investigative report, another youth stated that on a separate occasion, he witnessed this staffer sitting in between the beds of two youth while they slept. The allegation was ruled "not sustained" due to insufficient evidence.

In a follow-up letter to the OIG, Karma's Administrator said that the home would no longer use the staffer at the Randallstown location "due to the nature of his actions and the potential discomfort that some of the youth may feel..." and that he would be transferred to another KHI program. The Administrator did not feel that there was sufficient justification to remove the staffer from his duties as a KHI employee because the allegations were not sustained upon investigation.

The administrator reported that the staffer later resigned from employment with KHI altogether.

¹⁷ The youth reported the incident in January.

4. Physical Plant and Basic Services

a. Fire Safety

The Baltimore County Fire Department completed an annual fire safety inspection in January. No findings were noted. The next inspection is due by January, 2011.

b. Physical Plant

The home is located in a beautiful suburban community in Randallstown that is only minutes away from the Baltimore and Carroll County borderline. The home is very clean and well maintained by the youth and staff. The community is quiet and appears to be safe.

The home has a large patio, and the open park size area in the rear of the facility allows youth and staff to have cookouts and other seasonal festivities.

c. Basic Services

The Baltimore County Department of Health completed an annual health/environmental inspection in September 2009. No findings were noted. The next inspection is due by September, 2010.

5. Education

Youth attend high school at New Town High School in Owings Mills or the Bridge Center in Arbutus, Maryland. The Bridge Center is an interim placement for students transferring into Baltimore County Public Schools from another jurisdiction while enrollment in their zone school is being facilitated. Karma residents do not attend the school as a permanent placement. Residents requiring Level V school placement attend the Florence Bertell Academy in Woodlawn.¹⁸

If a youth requires an alternative school due to behavioral issues or for additional reasons, he attends the Catonsville Center for Alternative Studies.

6. Rehabilitative and Recreational Programming

a. Therapeutic Program

The therapeutic model used in the home is described by Karma staff as a combination of Pathways, Positive Peer Culture (PPC), EQUIP and Aggression Replacement Therapy (ART). PPC/EQUIP were not developed for sex-offending youth, and while ART, a 5-6 week training module, has been proven to be effective in working

¹⁸ Florence Bertell Academy provides academic, therapeutic, and behavioral services to youth with learning disabilities and/or emotional disabilities.

with at risk youth, PPC/EQUIP has not been shown by research to be effective in rehabilitating delinquent youth.

Youth receive one-on-one counseling with their therapist once per week. They attend group four times per week in the house, and attend one Narcotics Anonymous meeting each week in the community. The groups that the youth participate include independent life skills, sex offending rehabilitation, peer support, and problem solving.

b. Recreational Programming

The youth typically participate in a variety of outings on the weekend. Some events that youth have attended are the circus, college tours during spring break at the University of Maryland Baltimore Campus (UMBC), Johns Hopkins University, and Coppin State College and a Nationals baseball game in Washington, DC.

c. Parental Involvement

Multi-family groups are held on a monthly basis. Monthly family groups give parents and guardians the opportunity to participate in group sessions with the youth and therapists.

7. Medical

Medical was not reviewed this quarter.

8. Youth Advocacy, Internal Monitoring and Investigation

The Child Advocate comes weekly to address any concerns that the youth may have. Three grievances were filed this quarter. The youth grieved about inappropriate staff behavior and lack of visits from a case manager.

According to the Karma Residential Handbook, when youth have a grievance, they must discuss their concerns with staff, the therapist and the Program Administrator. If the grievance cannot be resolved within three working days, the issue Board of Directors will address it

DJS policy provides that youth may file grievances confidentially, and discuss concerns directly with the DJS Child Advocate. They are not required to first address concerns with program staff.

A corrective action plan is pending.

Applicable Standards

Department of Juvenile Services Policy 01-07-7(ii) *Ensure that only the persons necessary to resolve a grievance are aware of the contents of the grievance.*

Department of Juvenile Services Policy 01-07-8(vi) *Never inhibit a youth from pursuing the grievance procedure, or retaliate against a youth for filing a grievance.*

Department of Juvenile Services Policy 01-07-9b (1) (i) (a) *A youth may initiate a grievance at any time by speaking directly to a Youth Advocate.*

Department of Juvenile Services Policy 01-07-9b (1) (i) (b) *A youth may initiate a grievance at any time by completing the grievance form and placing the form in the designated grievance box.*

b. Internal Monitoring

This quarter a DJS Program Evaluation Monitor visited the home on January 26, February 24, and March 30. The areas that were reviewed include:

- Physical plant/health inspections
- Child abuse and neglect
- Food services
- Incident reporting
- Basic life needs
- Orientation and student handbook
- Safe Environment Plans

In January, the home was 40 percent in full compliance and 60 percent partial compliance; and in February, the home was 33 percent in full compliance and 67 percent in partial compliance

c. Youth Concerns

Youth have reported that they enjoy their stay at the home, and that it is a comfortable environment. They have expressed confusion about the grievance policy in the Resident Handbook and they have expressed a low level of comfort with discussing concerns with anyone in the home.

Youth who are in high school expressed their dissatisfaction with not being able to attend prom because they are in a placement. They feel that their high school prom is a very special event in their lives that will only occur once; and asked that the Administrator make special arrangements for them to attend prom night.

RECOMMENDATIONS

1. The home should omit the current grievance policy from the Resident Handbook and replace it with an elaborate explanation of the DJS grievance policy.

UNABATED CONDITIONS

1. Administrators should enroll all Direct Care staffers who run therapeutic groups in sex-offender training courses.



MARLANA R. VALDEZ
Director

STATE OF MARYLAND
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JUVENILE JUSTICE MONITORING UNIT

FACILITY REPORT
KARMA ACADEMY OF KHI SERVICES, INC. (ROCKVILLE)
JANUARY- MARCH, 2010

Facility: Karma Academy
175 Watts Branch Parkway
Rockville, MD 20850
Program Director: Janet Scruggs

Dates of Visits: January 28, March 4 and 9, 2010

Reported by: Claudia Wright
Senior Monitor

Persons Interviewed: Program Director, Program Coordinator, therapist, direct care staff and youth

Date of Report: May 2010

INTRODUCTION AND NOTICE OF CLOSURE

Karma Academy for Boys (Karma) is a 13-bed residential treatment facility for boys located in Rockville, Maryland. It has been operated by KHI Services, Inc. since 1972. Karma is licensed by the Department of Juvenile Services (DJS). The building is owned by Montgomery County. In mid-March, DJS stopped referrals to Karma. By April 9, all youth had been released or transferred, and the program ceased operations.

FINDINGS

1. Population

The population remained under the rated capacity of 12 throughout the quarter. On January 1, there were 11 boys in the program. On March 31st only 4 boys remained.

2. Safety and Security

AWOL of youths	6
Inappropriate conduct by youth	3
Alleged inappropriate conduct by staff	1
Physical assault youth on youth	9
Alleged sexual assault youth on youth	1
Destruction of property	3
Suicidal ideation	1
Non-routine off-grounds medical care	1
Youth arrested	2
Contraband	1
Total	28

There were a total of 28 incident reports filed during the quarter. One youth who was admitted to the program in January accounted for 13 incident reports. Another difficult youth accounted for 8 incidents.

There was one alleged sexual assault of a resident by a resident. This allegation was reported to local police and to DSS Child Protective Services. The allegation was not sustained, and no charges were filed. Neither of the youngsters involved in this incident had a history that included sex offenses. There was no evidence that the Karma program accepted sex offending youth or offered sex offender treatment during the quarter.

In another incident, a staff person was accused of inappropriate behavior involving sharing letters of a sexual nature with a youth. That allegation was also reported to DSS Child Protective Services, but was not sustained. The staff person involved was

terminated.

3. Physical Plant

The building is owned by Montgomery County. The interior of the home is in good condition and freshly painted. There is new carpet in some areas. Several holes in walls have been patched up and repainted. The furniture is in good condition, comfortable and appropriate for youth.

The exterior of the building is well maintained.



MARLANA R. VALDEZ
Director

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

FACILITY REPORT
KENT YOUTH BOYS GROUP HOME
JANUARY – MARCH, 2010

Facility: Kent Youth Boys Group Home
7582 Quaker Neck Road
Chestertown, MD 21620
Administrator: Jillyn Coleman

Dates of Visits: Jan 7 and 25
February 2
March 1 (off-site) and 24, 2010

Reported by: Nick Moroney
Monitor

Persons Interviewed: Administrator, Staff and Youth

Date of Report: May 2010

INTRODUCTION

Kent Youth Boys Group Home (Kent Youth) is located in Chestertown, on the Eastern Shore of Maryland. It is operated by Kent Youth, Inc., and provides a comfortable, home-like environment for 10 adjudicated boys aged 14 to 18. The residential group home was founded in 1971 as a local alternative to institutional or out-of-state placement of Eastern Shore youth.

SUMMARY OF CRITICAL FINDINGS

The program is stable and is performing as an essential resource helping to redirect children who might otherwise become more deeply involved with the juvenile justice system. The home provides personal attention and mentoring within a less restrictive setting than youth would experience in an institution.

FINDINGS

1. Population

With a ten-youth capacity, Kent Youth was fully utilized during the first quarter of 2010, with 10 youth in residence except during brief transition periods as youth left or moved in to become residents. DJS has recognized the importance of the home, its staff and programming in helping vulnerable youth stay on track and in preparing youth for constructive re-integration into their communities.

Of the 13 youth served at Kent Youth during the first quarter, all hailed from Eastern Shore counties. Eight of the youth served were African American and five were white.

2. Staffing

The program director is a certified Child Care Program Administrator who previously worked as program manager at Kent Youth. The program is fully staffed.

Applicable Standard

COMAR 14.31.06.06.3 *The program administrator shall be certified as required by Health occupations Article, Title 20, and Annotated Code of Maryland.*

3. Safety and Security

The number of critical or aggressive incidents at Kent Youth continued to remain low during the first quarter of 2010 and the facility continued to be a safe environment for youth in residence.

There were two incidents of aggression between youth reported during the first quarter. One involved a relatively minor altercation between two youth on January 17 (DJS Incident Report 79820). The second, on March 3, also involved two youth and resulted in an injury to one of the youth (DJS Incident Reports 80705, 80716, 80719). The youth believed to have been the aggressor in this instance was charged with assault and dismissed from the Kent Youth program.

4. Physical Plant and Basic Services

The physical plant consists of home-like environment which is fastidiously maintained by staff and youth. Fencing at the back of the facility was extended at the end of March.

Kent Youth is up-to-date and in full compliance regarding state fire prevention, nutrition and food preparation inspections. A Fire Marshall inspected the facility on March 19 and noted "no violations." The next health inspection will take place in July 2010.

Applicable Standard

COMAR 14.31.06.07. A.1(a)(b) *The licensee shall establish a written plan of action describing how the licensee will respond in the event of natural or man-made emergency conditions which is approved by the licensing agency; and includes detailed plans for fire prevention and emergency evacuation of the physical plant.*

5. Education

Residents at Kent Youth attend Kent County public schools where youth are reportedly progressing academically.

A well-equipped computer room with printer is available to residents for research and homework. Three of the evening shift direct care staff have college degrees and assist youth during a period set aside daily for supervised study and tutoring.

The facility ensures each youth is represented at school-based meetings concerning the educational needs and academic progress of Kent Youth residents.

Applicable Standard

COMAR 14.31.06.12.2(C) *The placing agency and licensee shall work cooperatively with the local school system to participate as appropriate in the child's educational activities.*

6. Rehabilitative and Recreational Programming

a. Therapeutic Program

Kent Youth residents participate in the Passage program that includes a level system. Youngsters work their way up to higher levels with good behavior and participation in the program. Youth may be released 30 days after reaching the highest level. Each higher level increases privileges such as extra phone calls.

Youth also receive individual and group counseling four times a week with a licensed clinical social worker (LCSW). Drug and alcohol education programs are offered once to twice a week while a therapist provides weekly anger management sessions. Numerous life skills programs and activities, including cooking and cleaning, occur throughout the week including a weekly formal life skills program. Family therapeutic meetings are scheduled monthly to every 6 weeks or more frequently depending on a counselor's assessment of youth and family therapeutic needs.

b. Recreational Programming

Youth play basketball and use the gym-cum-weight room daily with staff guiding youth on physical fitness related issues. There is a recreation room in the basement where youths can watch TV and DVDs, read, and play games.

Staff post a weekly schedule of activities in the facility. In addition to goal setting and life skills sessions, Kent Youth offers drug and alcohol awareness sessions and a public service volunteer program that counts toward public school service learning hours. Youth also visit local libraries, swim at community pools, attend high school basketball games and go fishing.

Each month this quarter, guest speakers, including Kent Youth, Inc. Board Members, came to the house to make presentations, share skills and chat with youth. Youth also took part in a community outreach project for which they built and donated a large birdhouse

c. Parental Involvement

Parents participate in the orientation process when youth first come to the facility. Ongoing visiting takes place on Sunday afternoons. Phone calls are allowed in the evening, with details worked out in accordance with the facility behavior level system (Passage). Parents are included in the preparation of Individual Service Plans and discharge plans. Youths can earn weekend home passes through the Passage system.

Applicable Standards

COMAR 14.31.06.17.2.F *Within 30 days after admission, develop for each child an individual service plan that identifies documentation indicating that the child, child's advocates, guardian, and family, when appropriate, have been involved in, informed of, and agree with the plan.*

COMAR 14.31.06.12.B.1 *The licensee shall provide the children with a range of indoor and outdoor recreation and leisure activities both in the program and in the community.*

COMAR 14.31.06.12.C.1 *The licensee shall have a written plan of normal daily routines which shall be made available to the children and employees.*

7. Medical

The residents at Kent Youth see a local family doctor upon entry to the program and for routine medical needs. The doctor is available as needed. Regular visits to a dentist are also scheduled for each youth.

Applicable Standards

COMAR 14.31.06.13.G.1 *The licensee shall secure for each child a physical examination and a copy thereof within 30 days of admission or earlier if indicated by the child's health status.*

COMAR 14.31.06.13.E.2 *The licensee shall unless a child has been examined and treated as necessary during the 12 months before the child's admission to the program, have each child examined by a dentist within 30 days after admission.*

COMAR 14.31.06.13.E.3 *Have each child examined by a dentist at least every 12 months or more frequently as prescribed by the dentist.*

8. Youth Advocacy, Internal Monitoring and Investigation

The DJS Youth Advocate visits Kent Youth regularly and responds promptly to any grievances. The DJS Program Evaluator also visited Kent Youth during the quarter and corrective action has been taken to address minor systemic issues of concern relating to personnel documentation and vaccination.

RECOMMENDATION

Youth should continue to be referred to Kent Youth which is an essential resource helping to redirect children who might otherwise become more deeply involved with the juvenile justice system.



MARLANA R. VALDEZ
Director

STATE OF MARYLAND
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JUVENILE JUSTICE MONITORING UNIT

FACILITY REPORT
LOWER EASTERN SHORE CHILDREN'S CENTER
JANUARY – MARCH, 2010

Facility: Lower Eastern Shore Children's Center
405 Naylor Mill Road
Salisbury, MD 21801
Superintendent: Derrick Witherspoon

Date(s) of Visit: January 25, February 26, 27, March 19, 2010

Reported by: Tim Snyder, Juvenile Justice Monitor

Persons Interviewed: Superintendent, Group Life Supervisors, Resident Advisors
Case Manager, Direct Care Staff, Dietary Staff, Maintenance
Staff, Youth

Date of Report: May, 2010

INTRODUCTION

The Lower Eastern Shore Children’s Center (LESCC) in Salisbury is a 24-bed maximum-security detention facility owned and operated by the Maryland Department of Juvenile Services (DJS/the Department). The facility opened in 2003 and is designed to house male and female youth awaiting adjudication or placement. Youth are separated into three housing pods according to gender and security considerations. Pod A houses a maximum of 6 girls; Pod B accommodates 6 boys; and Pod C houses 12 boys. Most youth at the facility are from the Eastern Shore.

SUMMARY OF CRITICAL FINDINGS

- The camera and recording capability needs to be upgraded and expanded.
- Youth need to receive all medications as prescribed.
- The behavioral management point system needs to be implemented consistently.
- Crisis intervention training is inadequate.

FINDINGS

1. Population

a. General

Facility Capacity	High Population	Low Population	Average Daily Population	Average Monthly Population	Number of Days Over Capacity
24 + 3 handicapped rooms = 27 individual rooms total	29	18	25	January 26 February 23 March 25	5 days (over 27 youth)

When the population is over 27 youth the additional youth must be housed in the infirmary, double bunked with another youth or kept in the pod day room overnight sleeping in a boat (a fiberglass container with a mattress). The facility should not be required to house over 27 youth.

b. Detention and Pending Placement

	Number of Youth in Status 60+ Days	Number of Youth in Status 90+ Days

Detention	1 (66)	2 (112), (94)
Pending Placement	5 (85), (82), (78), (71), (71) days	4 (126), (113), (106), (97) days

The length of stay figures above refer to those youth at LESCC on the last day of the first quarter, 2010.

c. Population Breakdown by Race/Ethnicity

	1st Quarter, 2009	2nd Quarter, 2009	3rd Quarter, 2009	1st Quarter, 2010
Total # of Youth Detained	132	177	143	106
White	42	55	39	30
African American	90	117	103	70
Latino	0	3	1	6
Other	0	2	0	0

Applicable Standards

Md. Standards for Juvenile Detention Facilities 5.1.5.1 *The provision of ... living space shall be sufficient to adequately meet the needs of the detained youth.*

Maryland Rules, Rule 11-112. Detention or shelter care. *Maximum period of detention or shelter care – continued detention or shelter care pending the adjudicatory or waiver hearing may not be ordered for a period of more than thirty days.*

JDAI Standards I (D) Population Management *1. Written policies, procedures and actual practices ensure that when the institutional population approaches or reaches its rated capacity, appropriate youth are released or “stepped down” to non-secure settings. 2. Written policies, procedures and actual practices ensure that staff review the institutional population on a daily basis to make sure that youth who no longer need secure confinement are promptly released, are “stepped down” to restrictive settings, or transferred to other settings.*

2. Staffing

a. General

DJS has significantly reduced the staffing shortage at LESCC. The facility has 28 budgeted Resident Advisor positions, and at the end of the 1st quarter, 25 of those positions were filled with paperwork being processed to hire 2 additional Resident Advisors. This would result in only one Resident Advisor vacancy.

One Group Life Manager position is vacant, but approved for hire, and 2 cook positions are currently vacant. Additionally, the Assistant Superintendent position remains vacant, and may remain so. Reportedly this position is not considered to be crucial to maintaining the ongoing effective operation of the facility.

LESCC has a very dedicated staff that work together well. There is a sense of “ownership” as staff often go above and beyond their assigned duties to help out wherever needed, and to provide activities to help meet youth needs. One staff member, for example, holds a mid-day chapel service for any youth and staff interested in attending. This staff, along with another, organized a Gospel Sing held on a Saturday evening in February that featured music, dance, and testimony from a local church ministry and from staff and youth at LESCC who chose to participate.

Another staff member comes in on time off to help the girls with knitting hats that are then given to the neo-natal unit for newly born babies. When the winter storms made it hard or impossible for staff to report to work, one staff member stayed in a local hotel and another stayed overnight in the medical suite. Supervisors at LESCC come in at least 30 minutes early to be brought up to date with any issues and concerns before beginning their shift duties.

LESCC has a way in which staff can recognize other staff who go the extra mile called “You Have Been Spotted”. A staff member can recommend another staff for this honor and if selected, a certificate is printed and posted on the wall for all to see.

b. Staff Training

DJS is now holding Entry Level Training classes more frequently. This has helped new staff members become certified more quickly.

The adequacy of the training remains a concern however. DJS uses JIREH, a Colorado-based company, to provide crisis prevention and management training to its staff. The Children’s Cabinet must approve all contractors providing crisis intervention training for private residential program staff. JIREH’s application has twice been denied by the approval team on substantive grounds, in part because the training focuses too much on restraint techniques and too little on de-escalation of crises to avoid physical restraint.

The Children’s Cabinet approval requirements do not apply to DJS-operated facilities, only its licensed programs. However, given that no privately-operated residential program in the State is authorized to use this vendor, DJS should examine whether JIREH’s approach is consistent with current State philosophy on crisis intervention with youth.

JIREH training is reportedly lacking in comprehensive and practical training in de-escalation. The training also requires that a staff member, regardless of size, be able to physically dominate an aggressive youth. Two-person handcuffing and the use of leg irons is now being taught, but one-person handcuffing, which is sometimes needed, is not taught. DJS did permit JIREH to add two flanking procedures to the training protocol.

Applicable Standard

Md. Standards for Juvenile Detention Facilities 5.1.5.5 Staffing *Staffing levels shall ensure the proper supervision and safety of the residents.*

3. Safety and Security

a. Aggregate Incidents

Incident Categories	1 st Quarter 2009	2 nd Quarter 2009	3 rd Quarter 2009	4 th Quarter 2009	1 st Quarter 2010
1. Youth on Youth Assault	16	15	3	21	8
2. Youth on Youth Assault with Injury	9	6	1	8	6
3. Alleged Youth on Staff Assault	8	5	1	5	1
4. Alleged Youth on Staff Assault with Injury	4	1	1	0	0
5. Group Disturbance (injury/property destruction)	1	1	0	0	0
6. Group Disturbance (no injury/property destruction)	0	1	0	0	0
7. Restraints	39	25	10	27	17

8. Restraints with Injury	14	10	2	8	8
9. Seclusion over eight hours	0	0	0	2	0
10. Physical Child Abuse Allegation (DJS custody)	1	1	0	2	1
11. Suicide Ideation, Gesture, Attempt or Behavior	5	1	0	3	9
12. Law Enforcement on grounds for incident, injury or allegation	0	0	2	4	4
13. Alleged Inappropriate Staff Conduct/Comments	0	1	1	1	0

Staff members are inadvertently injuring a number of youth during restraints. In this quarter, 8 of 17 restraints (47%) involved injury. Over the past year, out of a total of 79 restraints, 28 (or 35%) involved injury. This figure no doubt reflects the inadequacy of staff training noted above.

LESCC has an antiquated and ineffective video recording machine associated with the camera surveillance system. Additionally, the facility lacks camera coverage, and needs a number of units to adequately provide surveillance capability. The lack of cameras and recording equipment presents a serious threat to safety, security, and accountability. DJS should make this upgrade and expansion capability the highest priority for immediate expenditure in its capital program for LESCC.

b. Alleged Inappropriate Staff Conduct

The staff member who was investigated for alleged child abuse was cleared by CPS, State Police, and DJS investigation.

Applicable Standard

Md. Dept. of Juvenile Services Standards of Conduct and Performance – Personal Conduct 2.2.7. *The illegal possession or use of any controlled dangerous substance or controlled paraphernalia while on or off duty is strictly prohibited.*

c. Behavior Management Plan

LESCC provides each youth with a Youth Handbook that describes the expectations, responsibilities, rewards and consequences of youth behavior. The program utilizes a four-level system built on earning points and levels with increasing privileges as youth progress. Youth generally describe the system as being fair, but

some have expressed that it is too strict and that a warning would be useful before taking points for minor infractions. Another issue is that the point system is not always implemented the same by all staff members, some being more strict/lenient than others. This is a concern that is an ongoing issue involving staff training and teambuilding.

4. Physical Plant and Basic Services

Youth and staff report that the food and food service at LESCC is very good. The Maryland Department of Health and Mental Hygiene conducted an inspection of the food service at LESCC on January 7, 2010. The Inspector noted on the report that there was meat stored on the floor of the walk-in freezer. Regulation requires that food be stored a minimum of 6 inches off the floor. The facility was given 30 days to make the required changes. This Monitor conducted a site visit on March 19, 2010 and observed that several boxes of meat were sitting on the floor of the walk in freezer. Corrective action was taken quickly and has subsequently been checked by LESCC for compliance.

The Maryland State Fire Marshall's Office conducted a Fire Safety Inspection on April 27th 2009. The Inspector indicated that no violations were found at the time of the inspection.

Applicable Standards

Md. Standards for Juvenile Detention Facilities 5.2.1 Conformity with Codes *All detention facilities shall conform to state fire safety requirements.*

Md. Standards for Juvenile Detention Facilities 5.5.1 Food Service Management A *full time staff member experienced in food service management shall supervise the food service operation within a detention facility.*

5. Education

Upon admission to LESCC, teachers assess youth in order to design a curriculum that meets the youth's individual educational needs. Youth are also given a career interest inventory. Youths attend 6 hours of instruction each school day. Maryland State Department of Education teachers provide classes that include math, language arts, social studies, science, computer technology, career development, life skills, and library media. LESCC requests youths' school records, and staff report that the information is usually received in a timely manner. Youth are provided special education services as needed and youth may also prepare to take the GED test if that educational avenue is appropriate for the student.

Until recently, LESCC did not offer any vocational programming. However, career planning and associated skills are currently being incorporated into the education component at the facility. Additionally LESCC plans to implement a work opportunity for youth within the facility. Youth will be able to earn the privilege of helping with

housekeeping duties, receive minimum wage and use the experience as part of developing a work resume, including references from supervising staff.

Youth can earn a Certificate of Achievement in school. When a youth is awarded the certificate her/his picture is taken along with the certificate and it is posted on the wall in front of the master control room. Youth interviewed who have their GED expressed that they want to have access to college preparation classes.

Applicable Standard

Md. Standards for Juvenile Detention Facilities 4.1 Educational Services *The Department shall ensure that educational services provided within the detention facility are consistent with state requirements and that they meet the individual needs of the youth.*

6. Rehabilitative and Recreational Programming

The staff at LESCC provide a number of services and programs for youth. Psycho-educational groups are held weekly, and substance abuse groups are also held weekly. In addition youth are seen individually as needed by counselors and therapists. Approximately 85% of the youth are reportedly experiencing substance abuse problems, and a number of youth are dually-diagnosed, having both substance and mental health issues. A psychiatrist comes to LESCC on a weekly basis to see youth as needed.

Other programming events provided by staff are many and varied, and include activities such as Aggression Replacement Therapy, Town Hall meetings, Kidz Roc – Open Mic Night, Jeopardy contests, LESCC After Dark special programs, Bingo, and Gender Responsive Activities. LESCC holds a monthly Youth Advisory Meeting. One youth is selected from each unit to meet in the Superintendent’s office for a special ordered out lunch and a meeting to discuss the operation of the facility, listen to concerns and consider suggestions. This Monitor observed a Youth Advisory Meeting in March and listened to youth and staff discuss the Youth Handbook and the Honors Room privilege. Honors room can be earned by a youth whereby the youth gets to spend two weeks in a specially appointed room on the unit.

Gender Responsive activities include such events as girls attending a tea , learning to express themselves through artwork, and decorating t-shirts with artwork depicting a special health care concern such as HIV, breast cancer, autism and the like. LESCC has also gone to some effort to “soften” the environment for the girls ladies in detention at the facility. Softer colors on the walls of the unit, pink uniforms, and the creation of “comfort pillow-cases” are some examples. Comfort pillow cases are embroidered with comforting sayings to help the girls focus on something positive and soothing as they fall asleep.

Youth at LESCC receive at least one hour of large muscle exercise per day, typically in the gymnasium. Recently the broken ping-pong tables were repaired and new paddles and ping –pong balls provided.

One youth who has presented very challenging behavior over several years at various facilities, and is well known at LESCC, was invited to speak to the Advisory Board about his treatment at the facility. One comment stuck out as he was praised for the significant progress he had made. He said, “No matter what you go through – you can change.” This Monitor’s observations of youth/staff interaction at LESCC has revealed the significant commitment, understanding, and capability the staff demonstrate in helping youth who are detained at the facility.

c. Parental Involvement

Parents or guardians are permitted to visit twice per week, and youth are allowed at least two phone calls per week. Parents/guardians are also encouraged to attend treatment and education-related meetings for youth. Unfortunately, some youth do not receive family visits. LESCC Community Advisory Board members have been apprised of this situation and have been invited to visit with youth to help fill the void left by uninvolved family members.

LESCC has provided a “fun box” which includes puzzles and card games for youth and visitors to use during visitation hours. The intention is to help facilitate positive social interaction and take pressure off by broadening the focus to more than conversation.

Applicable Standard

Md. Standards for Juvenile Detention Facilities 4.5 Recreational Activities *A well-defined and structured recreation program shall be provided for each resident.*

7. Medical and Behavioral Health

Youth at LESCC receive timely physical exams and screenings for mental health issues, substance abuse and suicide behavior and/or ideation. Medication is managed appropriately within the facility, but some youth experience medication misses which can result in very unfortunate outcomes. DJS Transportation typically does not transport medications when transporting youth and as a result, misses occur. This presents a potentially very serious situation that the Department must remedy.

Applicable Standard

Md. Standards for Juvenile Detention Facilities 4.3 health Care Services *Health care services shall be in accordance with established Departmental policy and procedures.*

8. Youth Advocacy, Internal Monitoring and Investigation

a. Youth Advocacy

The DJS Child Advocate retrieves and processes grievances with youth and DJS employees in a timely and effective manner.

Applicable Standard

Md. Department of Juvenile Services Policy and Procedure MGMT-01-07 Youth Grievance Policy *The Department of Juvenile Services (DJS) shall permit youth and individuals on behalf of DJS youth to file a grievance for a circumstance or action related to behavior of other youth, behavior of employees, or conditions of confinement.*

RECOMMENDATIONS

1. The video surveillance system should be upgraded immediately.
2. DJS should maintain a maximum population of 20 male and 7 female youth.
3. Staff training should be improved to provide all necessary skills.
4. The point system should be implemented consistently.
5. All food should be stored as required.
6. Post-GED courses should be provided.
7. Youth should receive all medications as required.



MARLANA R. VALDEZ
Director

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

FACILITY REPORT
MORNINGSTAR YOUTH ACADEMY
JANUARY – MARCH, 2010

Facility: Morningstar Youth Academy
1441 Taylors Island Road
Woolford, Maryland 21677
Program Administrator: Mike Diaz

Dates of Visits: January 12 and 22
February 12
March 2, 2010

Reported by: Tim Snyder
Juvenile Justice Monitor

Persons Interviewed: Administrators, Supervisors, Direct Care Staff, Therapists,
Teachers, Youth

Date of Report: May 2010

INTRODUCTION

Morningstar Youth Academy, operated by VisionQuest, Inc., is a privately run residential facility serving up to 40 boys from 14 to 18 years old. The Maryland Department of Juvenile Services licenses Morningstar as a large group home with a substance abuse treatment component. Vision Quest leases the property located on Maryland's Eastern Shore in rural Dorchester County near Cambridge.

In addition to providing services to help youth address substance abuse issues, the center also provides residents with Aggression Replacement Therapy (ART), and Equine Assisted Therapy. Overall, Morningstar utilizes a Cognitive Behavioral Approach to helping youth make positive changes. Morningstar partners with Eastern Shore Psychological Services to provide behavioral health therapy. There is a private alternative school on grounds for the residents.

Youth are referred to Morningstar by DJS and typically stay from 6 to 9 months. The facility has been open since July of 2005. Morningstar/VisionQuest also contracts with DJS to provide Functional Family Therapy (FFT) in four-month increments to families and youth enrolled in the program. Additionally, Morningstar/VisionQuest occasionally serves other families in Baltimore City or Baltimore County.

SUMMARY OF CRITICAL FINDINGS

- DJS utilization of the program has been low as the census remains under capacity.
- Some DJS Community Case Managers do not visit youth as required.

FINDINGS

1. Population

a. General

DJS licenses Morningstar to accommodate 40 youth with ten youth in four separate cottages. DJS has under-utilized this program. Referrals have been few and mostly inappropriate until late in the first quarter. Typically, the center has operated with approximately 15 empty beds. This has been unfortunate as there are many youth in the care of DJS who are appropriate and could greatly benefit from the Morningstar program.

The population at the facility is almost always made up of more youth from Baltimore City than elsewhere. Generally, the population includes 20 or so youth from Baltimore and 4-5 youth from the Eastern Shore. Approximately 2/3 of the youth are African American and 1/3 Caucasian with very few Hispanic youth. Morningstar does

not accept youth who are active gang members. Also, Morningstar is unable to accept youth with special education needs.

In the past six months, Morningstar has requested the discharge of several youth because of gang activity.

At the very end of the 1st Quarter, referrals from DJS picked up significantly, with many of those referrals appearing to be appropriate for admission. Under such circumstances, the challenge at Morningstar, or any program, is to maintain stability while accommodating a rapid influx of new residents.

2. Staffing

a. General

The facility maintained appropriate staff-to-youth ratios throughout the quarter. In preparation for accepting additional youth, Morningstar hired several new staff.

b. Staff Training

Morningstar utilizes Safe Crisis Management training as developed by JKM, Inc. The training emphasizes prevention, de-escalation, and use of positive reinforcement. JKM training is approved by the Maryland Governor's Office for Children for use by Maryland childcare providers.

Staff members also receive all required training to assume direct care responsibilities for youth in the facility.

c. Staff Credentials

The Morningstar administrator has taken and passed the state-mandated Childcare Administrator's test.

Applicable Standard

COMAR 14.31.06.05 F(3) Training of Child Care Workers. *The training of employees who may provide direct care to children shall include: (a) Emergency preparedness and general safety practices; (b) Cardiopulmonary resuscitation leading to certification; (c) Annual first-aid training...*

Applicable Standard

COMAR 14.31.06.06.3 *The program administrator shall be certified as required by Health occupations Article, Title 20, and Annotated Code of Maryland.*

3. Safety and Security

a. Aggregate Incidents

Overall, the number of incidents at the facility remains low. However, the local community becomes understandably alarmed when youth run away from the facility. Fortunately, this has happened infrequently and few incidents have occurred in the community as a result.

During this quarter Morningstar experienced 4 youth on youth assaults and 1 AWOL. While this report was being prepared, six newly admitted youth went AWOL from Morningstar (on April 25, 2010). Two youth were apprehended in Cambridge the day after they ran away while four other youth had not been located at the time of writing. The missing youth are presumed to be in Baltimore.

As part of the agreement with the local community, Morningstar agreed not to accept back into the program youth who AWOL from the facility. Subsequent to the recent AWOL of youth, Morningstar agreed to a corrective action plan in cooperation with the Department of Juvenile Services.

As part of the plan, Morningstar will again contract with an independent guard service to help provide overnight observation of youth. Though the program had assigned extra regular staff to overnight duties, the addition of the guard service will strengthen safety and security and possibly reassure the community that the program is making all reasonable effort to keep residents on the property.

Morningstar requires that all staff members' keys and visitors' keys be locked in a secured location during their hours of duty or visitation.

4. Physical Plant and Basic Services

a. Fire Safety

The Office of the State Fire Marshal conducted an annual fire inspection on November 6, 2009. Morningstar passed the fire safety inspection. Fire drills are conducted each month with variations in locations and shifts. Youth and staff are aware of fire safety procedures and know where to go in the event of an emergency.

b. Physical Plant

The buildings are in the form of modular units that are approximately 50 years old. Morning Star/VisionQuest leases the facility, which is only in fair condition overall. VisionQuest has taken a number of steps to maintain and even improve the physical plant. For example, the three educational trailers were remodeled in December of 2009. The Morningstar property includes wooded areas and open fields used for equestrian therapy and other programming.

c. Basic Services

The Dorchester Health Department conducted a food service inspection on September 28 2009. The DJS Program Evaluation Specialist conducted a visit on February 17, 2010, and several corrective action steps were taken by the facility to meet standards. For example, all menus are now approved by a licensed dietitian, and the weekly menus are posted. Administrators make weekly kitchen and dining area inspections to ensure all cleaning requirements are met.

Applicable Standards

COMAR 14.31.06.07 (A)(4). *The licensee shall ensure compliance with the local fire and health requirements by submitting annually to the licensing agency, reports of all fire and health inspections conducted by the local jurisdiction.*

COMAR 14.31.06.07.C.1 *The licensee shall maintain all structures and grounds in good Condition, free from health or safety hazards.*

5. Education

a. General

Morningstar operates a Type III school and follows the Dorchester County School curriculum and meets Maryland State Department of Education standards. The school provides ninth grade level classes, offering remedial help to those who need it. Approximately 80% of the youth enter the Pre-GED program in preparation for taking the GED exam. The program provides six hours of classes or hours of study each school day. The facility has one Principal and two teachers. Morningstar is interviewing for a third teacher.

b. Records

School records for youth are requested as part of the intake process. Educators work with the Maryland State Department of Education and with local school district offices to help coordinate communication between the facility and the LEA (Local Educational Authority).

c. Special Education

Morningstar is not licensed to accept youth who have been identified as needing special education services. Incoming youth are assessed through completion of a basic education test (TABE).

d. Educational Plan

Newly accepted youth enter the educational program within a day of admission to the facility. Youth receive report cards and guardians and therapists are updated weekly on youths' educational progress. Morningstar has a designated computer room that is open for youth to use as an integrated part of their education. The school also includes a library that meets Maryland State Department of Education requirements.

Youth may be nominated as "Student of the Week" based on the number of points earned for participation, progress and achievement in school. Typically, one half to two thirds of the youth earn this reward. Morningstar awards a special certificate together with youths' choice of two items from a list of token rewards. Youth who receive Student of the Week for each week of the month earn Student of the Month which also comes with a certificate and two more appealing items from a list that includes such things as a calculator, a watch, a throw rug or a puzzle book.

e. General Educational Development Program (GED), College Courses,

Morningstar provides youth who qualify the opportunity to graduate from high school via the GED program. Approximately 75% of the youth taking the GED test have been successful in passing the difficult exam.

Youth who have passed the GED before entering, or are staying longer after taking the exam, have a 27 hour per week work schedule at Morningstar. After a 30-day internship, youth earn a wage and keep a time sheet. Youth can use their work experience for resume and reference purposes after completing the treatment program. Morningstar did have a post-GED on-line course option for youth, but currently does not offer that opportunity. The Principal reports that he is working to resume that educational program for youth who have already passed the GED exam.

f. Vocational Education

Morningstar does not offer vocational courses yet. There is a plan to create a vocational arts program utilizing the gym area. Woodworking power equipment is now in place, but Morningstar has not hired an instructor.

Applicable Standard

COMAR 13A.09.10.13.A.1 *A school shall maintain instructional materials and equipment of sufficient variety, quantity, and quality, and, at an appropriate range of reading levels, to implement its educational program in each curricular area for each age, grade, instructional program, or any combination of these, based on the classification of the educational program specified on the approval document of the school.*

6. Rehabilitative and Recreational Programming

a. Therapeutic Program

Morningstar develops a Centering Treatment Plan and Safe Environment Plan for each youth at intake. A Master Problem List and a preliminary plan of care are compiled within 72 hours. A POSIT (Problem Oriented Screening Instrument for Teenagers) test is also administered and scored within 72 hours of admission.

Morningstar employs a system in which youth earn four successive levels from admission to discharge. They physically change cottage living units as they progress through each level of the program. Beginning with the Orientation Cottage, youth move to Cottage B, then to Cottage A and finally to the Upper Dorm. Youth who receive write-ups may have more time in the program added to their placement. Youth who demonstrate significant on-going unresolved problems may lose a level.

Youth must also complete three successful home visits before release. As part of the process of successfully completing the program, youth prepare and present a Discharge Board for senior staff. The Discharge Board is a large sheet of construction paper on which youth design a symbolic representation of their achievements during their stay at Morningstar. This Monitor observed one such presentation, which appeared to be very meaningful for the youth. The Discharge Board is then hung on a wall of the administration building. Staff and youth also sign off on a Youth Guide which lists significant steps required and successfully completed by the youth.

The treatment plan for youths in the program includes participation in group and individual behavioral elements including Cognitive Behavior Therapy (CBT) and Aggression Replacement Therapy (ART); Seven Challenges substance abuse counseling; individual therapeutic sessions; group process intervention, and equestrian-based therapy. A therapist from Eastern Shore Psychological Services is now on campus and working with Morningstar youth 40 hours each week. A multidisciplinary team meets monthly to review progress and needs for each youth in the program.

Every Wednesday evening, Morningstar holds a Discovery Group. The entire campus of youth attends. Skits and role-plays are enacted, typically involving the Seven Challenges theme of the week.

Also, Morningstar has what it terms a "feather program" which is based on a Native American ritual. First and second shift staff award feathers (in the form of points) for appropriate behavior; school participation; appearance; helpfulness to others; and accountability. Youths may accumulate a total of 49 feathers in a week.

Youth who receive 40 to 49 feathers are considered to have earned the title of being Global. Youth earning 29 to 40 are Centered and those with under 29 feathers are Circled. Youth earning Global get special reward activities such as a movie with ice cream. Youth earning Global for a month get a special off-campus activity.

b. Recreational Programming

Youth spend an average of two hours outdoors each day and the facility more than meets minimum youth recreational requirements. The facility has a covered basketball court, space for volleyball and football and a swimming pool for use from April through October. A number of youth participate in running and biking and some have run in half marathon events.

Three residents participated in a half marathon held at Disney World in Florida during January of 2010. Three youth went to Arizona in April to participate in VisionQuest-related hiking and equestrian adventure/treatment activities.

Youth at Morningstar have opportunities to participate in activities in the local community. The Butterfly Garden at the Blackwater National Wildlife Refuge was cleaned up this spring by youth in the program. Youth also help maintain the biking/hiking trails in the refuge. Residents at the facility also helped out during locally organized athletic activities by, for example, manning water stations for marathon and biking events.

c. Parental Involvement

Morningstar therapists provide Functional Family Therapy for youth and parents to support youth throughout treatment. Family members take part in multidisciplinary meetings. Residents call home once during the week and once on weekends. Youth earn weekend visits home to maintain family contact and prepare for transition back to communities. Family visits take place once a week. Youth can receive and send mail from approved sources. Staff check incoming letters in front of youth for contraband, but the content of the letters is not read by Morningstar employees.

Applicable Standards

Md. Dept. of Juvenile Services Policy and Procedure CJ-1-05 Case Management for Committed Youth 3 (2) (vi) *The Community Justice Case Management Specialist shall: Meet at least monthly with youth who are in residential care in Maryland to assess treatment progress and plan for community reintegration.*

COMAR 14.31.06.12.B.1 *The licensee shall provide the children with a range of indoor and outdoor recreation and leisure activities both in the program and in the community.*

7. Medical

a. Basic Medical Services

Medical care is provided onsite at Morningstar. There is an examination room and an infirmary. Sick call slips are available for youth to fill out and the nurse sees youth starting at regularly at 12:30 pm daily as well as on an as needed basis. The facility uses a physician in Easton. Dental services are provided by the Choptank Community Dental Service. Youths' medical records are kept up-to-date and housed in a secure location. Medications are double-locked in a designated medical room.

Morningstar administers the DJS approved Facility Initial Reception/Referral Screening Tool (FIRRT) assessment instrument to help determine if a youth is appropriate for an admission. The MAYSI youth screening test is administered within two hours of entrance into the program and health and safety screening is completed within 24 hours. A bio-psycho-social assessment is completed within two weeks of youth entry to Morningstar and a Child and Adolescent Needs and Strengths (CANS) assessment within 20 days. The CANS is also administered at 90 days and at discharge.

The Dorchester County Health Department provides HIV/AIDS and sex education to youth at Morningstar.

b. Medical Staff

The facility has a full time RN on duty and on call on a 24 hour, 7 day a week basis. An administrative assistant is also present to attend to the many record-seeking and record-keeping duties. One concern is that at times it is many months after admission before the facility receives the proper insurance from the DJS Community Case Manager. This problem also results in some youth not receiving their medical exam within the required 30 days from admission.

8. Youth Advocacy

a. Community Advisory Board

In addition to the quarterly Advisory Board meetings, Morningstar hosts a meeting on the first Wednesday of each month at lunchtime. Administrators report that at least four regular board members attend the monthly meetings. Morningstar also holds periodic Congress events that include a cookout as well as games and other activities involving youth and staff. Members of the Advisory Board along with DJS officials, Community Case Managers, staff members, and family members are invited to attend.

b. Youth Advocacy

A locked grievance box is located in the dining hall. Youth report the grievance system is working well, and the child advocate responds to youths' concerns in a timely way.

c. DJS Community Case Manager Visitation with Youth

Morningstar has recently been tracking Community Case Manager (CCM) visitation of youth at the facility. Some CCM's are very dedicated while others rarely if ever visit or call the facility. DJS regulations require that Community Case Managers visit youth in the facility on a monthly basis. In March, only 10 youth at Morningstar were seen by their Community Case Managers.

Applicable Standards

COMAR 14.31.06.09.E.2 (a)(b)(c) *The licensee shall provide the child and the child's parents, as appropriate, a description of how to file a grievance, including any formal grievance forms or other requirements for the format and content of the complaint.*

Md. Dept. of Juvenile Services Policy and Procedure CJ-1-05.1(2) *Community Case Manager Specialists shall: (vi) Meet at least monthly with youth who are in residential care in Maryland to assess progress and plan for community reintegration.*

RECOMMENDATIONS

1. DJS should fully utilize this program. It is an appropriate placement for many youth in the care of the Department.
2. DJS Community Case Managers should visit youth at Morningstar as required.
3. Morningstar should provide post-GED and college preparation courses.
4. Vocational education should be provided to youth as part of the curriculum.



MARLANA R. VALDEZ
Director

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

FACILITY REPORT
ALFRED D. NOYES CHILDRENS CENTER
JANUARY - MARCH, 2010

Facility: Alfred D. Noyes Children's Center
9925 Blackwell Road
Rockville, MD 20850
Administrator: John Dowdy, Superintendent

Dates of Visits: January 7 and 28; March 4 and 25, 2010

Reported by: Claudia Wright
Senior Monitor

Persons Interviewed: Superintendent Dowdy, Assistant Superintendent Gaskins,
direct care staff, medical staff, youth

Date of Report: May, 2010

INTRODUCTION

The Alfred D. Noyes Children’s Center (Noyes) is a State owned and operated detention facility located in Montgomery County. Noyes is currently comprised of two units for males and two units for females. Department of Juvenile Services (DJS) rated capacity for Noyes is 57.

SUMMARY OF CRITICAL FINDINGS

- Overpopulation is a chronic problem at Noyes. Boys must sleep on the floor in boats virtually every night.
- Fire drills are not held as required on the third shift.
- There are no security cameras in the facility.
- No infirmary is available. Medical services are not available 24/7.

FINDINGS

1. Population

a. General

Rated Capacity	High Population	Low Population	Average Daily Population	Average Monthly Population	Number of Days Over Capacity
57	60 (3/8)	43(1/22)	51	January 52 February 50 March 52	6

Overpopulation continues to be the major issue of concern at Noyes. The population numbers charted above reflect the DJS daily population reports. These reports are misleading because of the Department’s arbitrary definition of “rated capacity.” Rated capacity is defined as “the budgeted operating capacity” and the ability of the Department to “safely and humanely maintain critical aspects of the facility....”¹⁹ This flexible definition, and consequent rating of the population capacity of Noyes at 57, ignores a number of important factors that contribute to unacceptable crowding.

First, Noyes is the only juvenile detention center in Maryland that allows two youths to sleep in every room. Every sleeping room has at least two beds, and two slightly larger rooms have as many as four. Youths are locked in their rooms at night. They cannot leave without the assistance of staff. The generally accepted Standards of

¹⁹ Md. Standards for Juvenile Detention Facilities 5.1.5 Crowding.

the American Correctional Association state, in the standard on the housing of juveniles, “Living units are primarily designed for single occupancy sleeping rooms; multiple occupancy rooms do not exceed 20 percent of the bed capacity of the unit.”²⁰ Safety is the reason single occupancy rooms are important in juvenile detention facilities. If Noyes was limited to single occupancy the rated capacity would be 32.

The Superintendent at Noyes explains that some boys must sleep outside the individual rooms in the common area on plastic “boats” almost every night, even when there may be a bed available in a double room. Some youngsters simply cannot be allowed to share a room with others for their own safety. In some cases, because youth come into the facility directly from the street, there is not enough information about the youth to allow room sharing. In some cases, medical issues may require that an individual have a single room.

Second, Noyes is only one of two detention centers that houses boys and girls.²¹ Noyes houses all girls in detention from the DJS Metro region which includes Prince George and Montgomery Counties. Girls from other counties and Baltimore City are also often placed at Noyes for security reasons. Two of the four housing units at Noyes must be dedicated to girls even though they are almost never full. Each unit houses approximately 16 youth. At present, the population breakdown is typically about 30 - 35 boys and fewer than 20 girls. Thus, the boys’ units are overcrowded and boys have to sleep in boats while the girls’ units have empty beds. It is difficult to understand why a facility with critical space limitations would be the one selected to house both boys and girls.

Sleeping on the floor in thin plastic “boats” with a mattress on top is an unacceptable practice for a number of reasons. It is unsanitary. Trash and debris, along with dust mites, mold and mildew collect on the floor and contaminate items that come in contact with them. Any personal items – cup of water, toothbrush, Kleenex – that need to be close to the bed must sit on the floor. Youth complain that when there are overflows in the bathroom, the water floods the dayrooms where the “boats” are placed. Clothing, sheets and blankets touch the floor and collect dust and dirt.

Further, the youth who must sleep on the floor has no personal space for belongings such as books, pictures, underwear, extra clothing, or shoes. He has no personal space to read or do homework. What might be allowed for children for a sleep-over or on a camping trip is not acceptable in an institutional living setting.

Sleeping on the floor is not the only negative consequence of overcrowding. When too many people are crowded into an inadequate space, all of the support systems of the facility are stressed. Water, sewage, electrical, climate control and laundry capabilities are stretched beyond the physical limitations of the facility. Crowding also increases stress for the people who live and work in the building.

²⁰ American Correctional Association Standards for Juvenile Detention Facilities 3-JDF-2C-01.

²¹ Lower Eastern Shore Children’s Center houses girls and boys.

Youth Sleeping in Dayroom at Noyes Due to Overcrowding



Applicable Standards

American Correctional Association Standards for Juvenile Detention Facilities 3-JDF-2C-01 Juvenile Housing *Living units are primarily designed for single occupancy sleeping rooms; multiple occupancy rooms do not exceed 20 percent of the bed capacity of the unit.*

Md. Standards for Juvenile Detention Facilities 6.5.2 Resident rooms *Each resident shall be afforded: (1) a clean, dry room of moderate temperature, equipped with light sufficient for reading during regular waking hours; and (2) access to adequate toilet and bathing facilities.*

b. Detention and Pending Placement

	Number of Youth in Status 60+ Days ²²	Number of Youth in Status 90+ Days ²³	Average Length of Stay
Detention	1(72)	5(335, 284, 205, 116, 94)	17.44
Pending Placement	2(80, 61)	2(95, 90)	31.79

c. Race/Ethnicity Breakdown

	3rd Quarter, 2009	1st Quarter, 2010
Total # of Youth Detained	314	304
White	37	39
African American	226	212
Latino	43	43
Other	8	10

²² March 31, 2010

²³ March 31, 2010

2. Staffing

a. General

Noyes is blessed with a stable, experienced, reliable staff. Almost all of the direct care, medical, mental health, education and case management personnel have been employed at Noyes for a long period of time. Even in the face of unusual challenges – housing boys and girls together, overcrowding, extreme space requirements, lack of dining and program areas, double-celling - the staff at Noyes creates an environment that undoubtedly contributes to the relatively low level of violence in the facility. The Superintendent reports that Noyes has received four new permanent PINS (permanent staff positions) and six contract slots for new staff. Those positions will be hired as soon as possible, as well as the one open supervisor position. Two new schoolteachers were recently hired. There are now three full time case managers.

b. Training

Approximately 90% of Noyes staff have received gender responsive training.

3. Safety and Security

a. Aggregate Incidents

Incident Categories	1st Quarter 2009	1st Quarter 2010
1. Youth on Youth Assault	29	22
2. Alleged Youth on Staff Assault	6	2
3. Group Disturbances (with bodily harm or injury)	1	0
4. Group Disturbances (without bodily harm or property destruction)	1	0
5. Restraints	58	36
6. Seclusions more than 8 hours	1	0
7. Escape	0	0
8. Suicide attempts, ideation, gestures, behavior	8	9

b. Videotaping of Incidents

Noyes does not have stationary cameras to video tape incidents. Wiring has been in place for many months. No cameras have been installed. Videotaping of incidents is an important capability to help insure safety of youth and staff. It is also an important tool for training.

Applicable Standards

Md. Dept. of Juvenile Services Policy and Procedure RF-05-07 *The Department of Juvenile Services (DJS) employees shall video tape room extractions, escorts to seclusion, use of restraints or other critical incidents that relate to the safety and security of a residential facility. Incidents shall be videotaped unless videotaping of the incident compromises the safety and/or security of youth and/or employees. The Department encourages the videotaping of incidents to de-escalate incidents and to prevent further misbehavior and the use of physical restraint. Videotaping shall be in accordance with the requirements set forth within this Policy and Procedure.*

4. Physical Plant and Basic Services

a. Fire Safety

The Montgomery County Fire Marshal completed a full fire safety inspection on July 28, 2009. Previous violations have been corrected.

The administration's conduct of fire drills remains an issue. It does appear that the facility is conducting three fire drills per month, with one drill taking place on each shift. However, drills are not being conducted as instructed by the Fire Marshal in his visit on July 28. The Marshal clearly instructed that the 3rd shift drills (midnight shift) should occur at some time after occupants have been locked in their rooms and are asleep. The purpose of this drill is to assure that staff are trained and willing to maintain their posts so that they can release youths from the locked rooms in the event of a fire. Each room at Noyes must be unlocked individually by key, making it even more critical that staff practice removing youth from their rooms during the night.

b. Physical Plant

The physical plant at Noyes is crowded. The facility is in need of extensive professional cleaning. The furnishings are worn out. Noyes is not appropriate for the housing of 57 children.

c. Basic Services

Meals for youth at Noyes are prepared at a RICA program nearby and transported to the facility. Youth eat in the day rooms of their units, which further contributes to the lack of sanitation in the sleeping areas.

Applicable Standards

Md. Standards for Juvenile Detention Facilities 5.2.1 Conformity with codes *All detention facilities shall conform to state fire safety requirements.*

Md. Standards for Juvenile Detention Facilities 5.1.5.2 Sanitation *Proper sanitation within the facility shall be maintained to include the control of vermin and insects, clean food preparation areas, medical facilities, lavatories, showers and places to eat, sleep and work.*

5. Education

Education issues are not reported this quarter.

6. Recreational Programming

All youth receive large muscle exercise each day. Each unit is allowed to visit the game room four times per week. Boys and girls who reach Level 4 are allowed to participate together in recreational activities, including game room and movie nights. A variety of speakers and other volunteers visit the facility to provide activities for youth.

Class Acts, a contracted provider, is working with youth to create large murals within the facility. Class Acts also offers an African Dance class on Sundays. The Bethel North Ministry offers a program of basketball and mentoring, a Spanish class and a math tutor. A community volunteer, Shelley Brown, organized the girls to prepare bag lunches for the food bank in Montgomery County. 4-H is working with the youths to create a vegetable garden. Youth who work on the garden will be allowed to compete in the 4-H fair.

Applicable Standards

Md. Dept. of Juvenile Services Policy and Procedure RF-08-07 Recreational Activities Policy *The Department of Juvenile Services (DJS) shall provide recreation and leisure activities to youth in DJS facilities and programs to promote skill development and prevent idleness. Recreation shall be available to all youth each day. Leisure activities shall be provided to alleviate boredom, provide positive reinforcement and develop skills of cooperation, teamwork and sportsmanship.*

7. Medical and Behavioral Health

a. Basic Medical Services

Noyes administration is hard-pressed to provide adequate medical services with the resources provided. Services are not provided at night. During these times, shift supervisors must determine if a youth is sick enough to call for medical help. There is no infirmary, and no ability to separate youth for medical observation or quarantine. There were as many as 4 pregnant girls in house at one time during the quarter.

b. Mental Health Services

A psychiatrist visits Noyes as needed. There is a full-time clinical psychologist, 2 addictions counselors and a licensed social worker who provide mental health services.

8. Youth Advocacy, Internal Monitoring and Investigation

a. Youth Advocacy

Noyes youth understand and frequently use the DJS grievance system. The Child Advocate responds promptly to youth grievances. Nine grievances were filed during the quarter.

b. Internal Monitoring

An inspection by the DJS Office of Quality Improvement was conducted in April. The report of that inspection has not been issued.

c. Incident and Child Abuse Reporting and Investigation

Youth reported two incidents of child abuse. Both incidents were investigated by DJS/OIG and were not sustained. The two incidents were not accepted for investigation by Child Protective Services.

Applicable Standards

Md. Dept of Juvenile Services Policy and Procedure Number 01.01.13 Reporting and Investigating Child Abuse and Neglect *The purpose of this policy is to ensure the safety of youth in the care of the Department of Juvenile Justice (DJJ). The policy sets forth the procedures to be followed in reporting and investigating cases of suspected child abuse or neglect. The guiding principles of this policy are as follows:*

A. To insure that youth under the care of the Department of Juvenile Justice are protected from abuse or neglect it is required that every employee report any suspected abuse or neglect, both orally and in writing, to the proper authorities.

B. There shall be a timely investigation by the appropriate authorities of each suspected incident of abuse or neglect.

RECOMMENDATIONS

1. Individual rooms should be limited to single occupancy. No youth should be required to sleep in a “boat” on the floor.
2. Fire drills must be held on the third shift after youths are locked in their rooms and asleep.
3. Fixed cameras should be installed throughout the facility.
4. Medical staff should be increased to allow 24/7 coverage.
5. Space should be allotted for an infirmary or youth who must be separated should be transferred to other facilities.

UNABATED CONDITIONS

1. Overpopulation is a chronic problem. Boys must sleep in “boats” on the floor virtually every night.
2. Fire drills are still not being held on the third shift after youths are locked in their rooms and asleep as required.
3. Noyes does not have fixed cameras in the living areas or classrooms.



MARLANA R. VALDEZ
Director

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

FACILITY REPORT
RITE OF PASSAGE - SILVER OAK ACADEMY
JANUARY – MARCH, 2010

Facility: Silver Oak Academy
999 Crouse Mill Road
Keymar, Maryland 21757
Facility Administrator: Kevin McLeod
Executive Director: James Bednark

Dates of Visits: January 29, March 6 and 23, 2010

Reported by: Claudia Wright
Senior Monitor

Persons Interviewed: Facility administrators, school principal, staff and youth.
Interviewed former Silver Oak youth at BCJJC March 13, 2010

Date of Report: May, 2010

INTRODUCTION

The Silver Oak Academy (SOA) is a 48-bed, staff secure residential program for boys. It is owned and operated by Rite of Passage, Inc. The Maryland Department of Juvenile Services (DJS) licenses the facility. SOA opened and began admitting youth into the program on July 6, 2009. It is located in northern Carroll County in Keymar, Maryland on the grounds of the former Bowling Brook Academy.

SUMMARY OF CRITICAL FINDINGS

- Since opening in July, 2009, only three students have successfully completed the program. 23 students have been discharged as unsuccessful.
- The number of staff on duty at night (3) has not proved sufficient to prevent AWOL's.
- There are no fixed security cameras in the facility.
- Incident reports of reportable and critical incidents are not consistently filed as required by DJS policy and COMAR. When incident reports are filed they are often incomplete.
- Physical restraint is commonly used to force youth compliance with program norms. Physical restraint is not documented as required by applicable regulations.
- Youth complain that they do not get enough to eat. Appropriate substitutes are not offered for those who do not eat pork.
- Strenuous exercise is used as punishment, in violation of COMAR regulations.
- Youth in orientation do not attend appropriate educational programs.
- The vocational program is not operational.

FINDINGS

1. Population

The population has increased steadily since the program opened in July, 2009. On March 31, 2010, there were 42 youth at SOA.

According to the DJS Assist database, 68 youths were admitted since opening. Three of these youths successfully completed the program. All three are now on aftercare and doing well in the community.

Twenty-three youth were discharged without successfully completing the program. Twelve went AWOL; 2 were hospitalized for psychiatric treatment; 2 were transferred by their committing judges; 6 were returned to DJS due to bad behavior; and 1 refused to stay when he was delivered to the facility.

While SOA is still a new program and it will take some time to develop a consistent profile of youth who are likely to do well in the program, a failure rate of 34% (23 of 68 admitted youth) is high. Youth who do not successfully complete the program are typically returned to a secure detention center while the Department begins a new search for an appropriate placement.

The Department will pay a heavy price at per-diem rates for large numbers of youth who must then start over in a new treatment program. Youth should be carefully assessed for their appropriateness for the SOA program before being placed there.

SOA is licensed by DJS to house a maximum of 48 boys. On April 9, 2010, there were 47 youth on campus.

2. Staffing

The Executive Director indicated that there is only one coach/counselor (direct care staff) vacancy at the end of the quarter. Daytime supervision of youth appears to be sufficient, but night staffing is problematic. Forty-eight youths are divided into two housing units. At night, there is only one direct care worker on duty in each unit. Only three staff are on duty in the entire facility at night, the third assigned as “perimeter” security. There is no one in master control and no one in the medical unit. The Director argues that this number at night meets the DJS required ratio of 1:16. However, 1:16 has not proven to provide adequate supervision and should be revised

Students at Silver Oak are not locked in their rooms – they sleep in large, open dormitories. Doors and windows have alarms, but on at least two occasions since the facility opened, alarms did not function when youths left the units and went AWOL.²⁴ On April 2, two youths escaped and hid in nearby woods for several hours while the dormitory staff member was asleep, and his failure to report at 30-minute intervals went unnoticed.

Further, one staff per unit is not adequate coverage for this number of youths at this security level in the event of an emergency. If a youth becomes ill, if there is a fight or group disturbance, or if a group decides to escape, the lone staffer is helpless. There are no cameras, distress alarms or other technical equipment that might allow a call for assistance. If one staffer leaves the post on his unit to assist on the other unit, 24 youths will be left without supervision. Each living unit should have at least two staff at all times, in addition to the perimeter security person, unless staff supervision is supplemented by cameras, alarms or other technology.

²⁴ See IR#80255, IR#81612.

Applicable Standard

COMAR 14.31.06.06.F *The licensee shall ensure(1) Sufficient staffing at each site to carry out the licensee's administrative, business, clerical, dietary, housekeeping, maintenance, secretarial, and supervisory functions; (2) Adequate staff coverage at all times based on the time of day, the size and the nature of the program (3) That one direct care staff member shall remain awake in each building at all times.*

3. Safety and Security

a. Aggregate Incidents

	3 rd Quarter 2009	1 st Quarter 2010
1. Alleged Inappropriate conduct/comments by youth	8	10
2. Physical assault youth on youth	0	3
3. Attempted Escape	2	1
4. Escapes/AWOL's	0	3
5. Alleged physical child abuse	1	0
6. Sick youth requiring emergency care	0	1

According to the DJS Incident Report database, there were 18 incident reports filed during the quarter. Eight of the reported incidents involved the use of physical restraint.

However, there are unresolved issues concerning the reliability of the information reported to DJS by the SOA administration. Review of disciplinary reports, medical records and youth files, and interviews with staff and youth, indicate that there were significantly more reportable incidents than the number reflected in the DJS Incident Reporting Database. Program administrators met with DJS, the Maryland Public Defender's Juvenile Protection Unit and JJMU to discuss these disparities. JJMU will continue to monitor the issue.

Applicable Standards

COMAR 14.31.06.18.A (1) *The licensee shall submit reports and maintain records as requested by the licensing agency in order to ensure compliance with these regulations and other federal and State laws.*

Md. Dept. of Juvenile Services Policy and Procedure MGMT-03-07 (4)(a)(6) *Each Facility administrator, Area or Regional Director shall ensure all incidents are accurately entered into the DJS Incident Reporting Database.*

Md. Dept of Juvenile Services Policy and Procedure MGMT-03-07 (4)(d)(1)(i)(c) *The Programs management staff shall ensure a DJS Incident Reporting Form is completed, entered into the DJS Incident Reporting Database and electronically forwarded to OIA by 9:00 a.m. the next business day. (ii) After business hours, procedures remain the same as during business hours with the additional requirement to notify the OIA Administrator within one hour of the incident's occurrence.*

b. AWOL

On Christmas night, 2009, three youths took a staff person's car keys and fled in his car. All were apprehended within two weeks. One youth was apparently charged as an adult with escape but remains on DJS aftercare. The other two youths remain in DJS detention awaiting transfer to another placement. The Department of Juvenile Services Office of the Inspector General (DJS/OIG) investigated the incident and sustained violations of the DJS Standards of Conduct against two SOA staff members.

On January 9, 2010, one student walked away while a group of Silver Oak youths and staff were attending a basketball game in Baltimore City. This youth remained AWOL until the end of the quarter when he was apprehended and returned to Silver Oak. DJS/OIG sustained violations of DJS standards of conduct against two SOA staff members.

On February 12, 2010, two Silver Oak students jumped out of a ROP/SOA van in downtown Baltimore City while being transported to Baltimore City Juvenile Justice Center (BCJJC). They were able to kick open the back door of the van and run away from the staff. One of the youths was apprehended and returned to DJS detention, the other youth remains on AWOL status. DJS/OIG has not submitted its investigation report of this incident to date.

On February 14, 2010, three youths left SOA on foot in a heavy snow storm. The youths were eventually apprehended, one was charged with escape as an adult and the other two are awaiting placement in DJS detention. DJS/OIG has not issued its investigation report on this incident to date.

On February 17, 2010, two students attempted to escape from SOA, but were captured before they reached the main road outside the facility. Both were removed from the program and remain at BCJJC pending placement. DJS/OIG has not submitted its investigation report of this incident to date.

On April 2, 2010, two students left the facility in the early morning hours while the staff on duty was asleep. The facility nurse, who was driving to work, observed the boys walking down Highway 194. Maryland State Police were called, and the two youths were found later that morning hiding in the woods. They were restrained and returned to SOA. No incident report was filed on this matter until April 12, 2010. DJS/OIG is conducting an investigation of the incident.

Applicable Standards

COMAR 14.31.06.16. A. *The licensee shall have and follow a written policy to govern its actions when a child is discovered to be absent without leave. B.* *If the child has not returned to the program within 2 hours, the licensee shall notify (1) the local law enforcement authority; (2) the placing agency; (3) the licensing agency; (4) Unless inconsistent with the child's individual service plan, the child's parent. C.* *If an absent child does not return to the program within 24 hours, the licensee shall submit a written report to the licensing agency.*

c. Restraints

Staff at SOA restrain youths to force compliance with program rules. Incident reports and Refocus program face sheets indicate that youth have been restrained for behavior including failure to accept confrontation in group meetings, refusal to comply with dining hall norms, and refusal to go to exercise.

The Refocus program is problematic. It is described in the student handbook as “an independent program element developed to address individual students who are not able to function within the Cognitive Academy Model Program.” There is a designated Refocus room located in the basement of the field house. It is isolated from the rest of the campus and the general population. There are no cameras in the Refocus classroom or the “wrestling room”, a padded room located next door, where physical exercise must be completed, when it has been ordered for punishment. There are no windows in the classroom or the wrestling room. In most cases, the youth who is the subject of the Refocus is alone in the Refocus room with one or two staff persons. The process is not reviewed by supervisors.

A common scenario occurs when a youth fails to follow a rule or comply with a “norm”, as described in the student handbook. The youth is then ordered to go to the Refocus room. When he refuses, he is then restrained and escorted, or carried, to the

Refocus room. Two youths stated in interviews that they were held face down on the ground during such episodes, then carried by their arms and legs to the Refocus room. ROP/SOA staff describe such incidents not as restraint, but as “physical management.” The incidents are not documented as required by COMAR or reported in DJS Incident Reports. Neither staff nor youth engage in debriefing following incidents of restraint. The incidents are not recorded in treatment plans or reviewed by treatment teams, also responses that are required by COMAR. Medical records indicate numerous injuries that have resulted from “physical management.”

The Refocus program’s responses to youth behavior are inconsistent and confusing. Neither staff nor youth can explain what behavior might result in a trip to Refocus or what the consequences included in the Refocus program might be. Interviews with youth indicate that many do not understand why they have been restrained or what they can do to avoid restraint in the future.

Applicable Standards

COMAR 14.31.06.15 (2)(g) *A licensee may not use the following measures as disciplinary measures: physical restraint, except when failure to do so would result in harm to others or to the child.*

COMAR 14.31.06.15 C (2) *Program personnel may only use time out or restraint: (a) after less restrictive or alternative approaches have been considered, and: (i) attempted; or (ii) determined to be inappropriate; (b) in a humane, safe, and effective manner; (c) without intent to harm or create undue discomfort; and (d) consistent with known medical or psychological limitations and the resident’s behavioral intervention plan.*

COMAR 14.31.06.15 E (1) (a) *The use of prone floor restraint is prohibited in residential child care facilities.* **(b)** *The use of physical restraint is prohibited in residential child care facilities unless there is an emergency situation and physical restraint is necessary to protect a resident or other individuals from imminent, serious, physical harm after other less intrusive, nonphysical interventions have failed or been determined inappropriate.*

COMAR 14.31.06.15. F *Documentation Requirements for the Use of Restraint. Documentation of events surrounding the utilization of restraint in the resident’s record, including but not limited to: (1) Type of restraint used; (2) rationale for the restraint; (3) expected outcomes; (4) the length of time in restraint; (5) description of the specific precipitating factors leading to the restraint, including,:* (a) *description of observable behavioral, emotional, and physical characteristics of the youth involved; (b) degree of restriction or loss of privileges; (c) any event, situation, or condition immediately preceding the behavior that prompted the use of restraint; and (d) the behavior that prompted the use of a restraint; (6) specific location where the restraint occurred, and general activity occurring within the environment before the incident; (7) staffing level, types of program personnel (male, female, licensed); (8) unit capacity and unit population; (9) the names of the program personnel who observed the behavior that*

prompted the use of restraint; (10) the names and signatures of the program personnel implementing, observing, and monitoring the use of restraint; (11) a description of the restraint event, including: (a) the resident's behavior and reaction during the restraint; (b) the resident's mental status during and after the restraint; and (c) the name and signature of the administrator informed of the use of restraint; (12) the safe environment plan or other less restrictive interventions, de-escalation techniques, or all of these utilized and the resident's response to each; (13) residents response during and after the implementation of the restraint; (14) observable physical condition of the resident, including: (a) description of any injuries sustained; (b) on-site first aid intervention; and (c) off-site medical treatment; (15) medication, as identified in the resident's safe environment plan, administered before, during, or after the restraint; (16) date and time of the restraint; and (17) notification: (a) to the parent or legal guardian immediately following the incident unless otherwise specified by the parent or legal guardian; (b) to the placement agency within 24 hours of the incident; and (c) to the licensing agency in writing, information described in Regulation .05 of this chapter, within 24 hours of the incident.

COMAR 14.31.06.15 G Debriefing (1)Staff. *Within 24 hours of the incident, program personnel involved in the incident and the clinical coordinator, supervisor, or designee shall discuss the management of the incident by addressing the following (a) the cause of the incident; (b) program personnel response to the incident; (c) de-escalation techniques or less restrictive interventions attempted, or both and the resident's response to each; (d) timeliness of program personnel intervention; (e) program personnel ability to function as a team and improvements that could be made; (f) adequacy of program personnel response and need for additional staff; (g) aspects of the incident that should be the focus of discussion for the treatment team; and (h) other interventions that could have been used to prevent the restraint. (2) Resident (a) within 24 hours of the incident, unless contraindicated by the safe environment plan, the resident involved in the incident, and the program administrator or designee shall discuss the management.*

COMAR 14.31.06.18 D *The licensee shall document in the child's individual record each use of a restraint, including: (1) the type of restraint; (2) the reason for its use; (3) the duration of use; (4) the identity of the individual or individuals applying the restraint, and (5) less restrictive behavioral management techniques already attempted.*

4. Physical Plant and Basic Services

a. Fire Safety

Fire Inspection certificates are in order. Fire drill reports indicate that drills were held on January 19 and March 16. There is no fire drill report for February. There is a

report of an actual fire in Yale Hall, which is used for staff housing. None of the reports indicates drills during sleeping hours.

b. Physical Plant

The facility is in excellent general condition, free of debris and environmental hazards. There were no problems observed with chemical and hazardous substance storage.

c. Basic Services

A Health Department inspection was conducted On March 3. The kitchen and dining hall are spacious, clean and pleasant. However, a number of students complain that they do not get enough to eat. They are not allowed second helpings or free access to snacks and fruit when they are hungry as required by COMAR standards. Youth are required to drink two cups of water before they are allowed to have a cup of juice.

Several students complain that they do not eat pork, which is served often. Some of these students do not eat pork for religious reasons, others for dietary reasons. The only substitute for pork is the salad bar. Youth complain that this substitute is not adequate. Many youth and staff complain that Mexican food is served too often. Youth complain that breakfast is the same every day.

Students wear appropriate and comfortable clothing. Some complain that they are wearing the same clothes they received upon entering the program, and that they are now worn out.

There is a large gymnasium, football field, outdoor track and other open areas for recreation and outdoor activities. Students are not allowed to fully participate in these activities until they reach the higher levels of the program.

There are sufficient rooms for private discussion, visiting and counseling.

Applicable Standards

COMAR 14.31.06.07 A *The licensee shall comply with federal State, and local building, fire, and health codes, and all applicable local zoning laws.*

COMAR 14.31.06.07 A (4)(a) *The licensee shall ensure compliance with local fire and health requirements by submitting annually to the licensing agency reports of all annual fire and health inspections conducted by the local jurisdictions.*

COMAR 14.31.06.07 C (1) *The licensee shall maintain all structures and grounds in good condition, free from health or safety hazards.*

COMAR 14.31.06.07 D *The licensee shall ensure that each building that houses children (1) has adequate space for informal and recreational use by the children; (2) Is not used as a primary residence for any individual other than children placed in the program; (5) is maintained in a clean and orderly manner.*

COMAR 14.31.06.10 B (1) *The licensee shall serve food that meets or exceeds the children's recommended dietary allowances as established by the Food and Nutrition Board of the National Academy of Sciences; (3) Serve each child three meals each day, two of which shall be hot, and offer nutritious between-meal snacks, with not more than 14 hours between dinner and breakfast the following day; (4) Offer approved supplementary or modified diets for religious or health reasons, as appropriate.*

COMAR 14.31.06.07 G (7) *The licensee shall ensure that an unlocked refrigerator stocked with appropriate between-meals items is maintained in the kitchen area and is accessible to program residents.*

5. Education

a. Orientation

Students arriving at Silver Oak Academy are required to spend approximately 30 days in orientation status. This period is described as a time for youth to adjust to the program, learn the rules and regulations and complete required testing and assessment. During the orientation period, youth are not allowed to attend school in the classroom area with the general population. They attend school on the housing unit. There are four classes of core studies each weekday morning. While in these classes, youth do not receive instruction, but work on work sheets in the areas of language arts, social studies, science and math. A teacher is present in the classroom and may assist students with their worksheets.

b. Special Education

Special Education services are provided to youth in the general population. However, youth in orientation status do not attend classes with the general population and do not receive special education services during the orientation period, which is approximately 30 days.

c. Classes

Students who have completed the orientation program attend classes in four core areas each weekday morning, and attend vocational classes for two hours each afternoon, Monday through Thursday.

d. **General Educational Development Program (GED), College Courses,**

GED instruction is provided to students after they have completed the 30-day orientation period.

e. **Vocational Education**

The vocational program is disappointing. SOA is fortunate to have a state-of-the-art vocational training facility located on the campus. But the building is minimally utilized. The facility was certified ready for use by SOA in January. However, very little training is presently occurring. Youth who have reached the higher levels of the behavior program are allowed to attend classes 2 hours, four days per week. Youth in orientation are not allowed to attend vocational programs.

The culinary program finally received textbooks and hired a teacher near the end of the quarter. Cooking equipment has not yet been received. The construction program is primitive. A teacher's aide has voluntarily taken on the responsibility of teaching elementary tool safety, and youth have been working with taking apart old picnic tables, but real instruction in construction trades is not occurring.

In the IT class, the school IT staff member, who is also a teacher's aide is struggling with minimal equipment to engage students in learning about the the operation of computers. A barber was recently hired, but instruction to date consists only of allowing students to observe while the teacher gives haircuts to other students.

The vocational program holds promise, but has a long way to go.

Applicable Standards

COMAR 14.31.06.12 *Each licensee shall collaborate with the placing agency to ensure that each child of mandatory school age who has not earned a high school diploma or certificate of completion under COMAR 13A.03.02.02 is receiving an appropriate elementary or secondary school education.*

6. **Rehabilitative and Recreational Programming**

a. **Therapeutic Program**

The facility relies strongly on the Positive Peer Culture and mandatory Guided Group Meeting models for treatment. There is one LCSW on staff to provide therapeutic services.

b. **Recreational Programming**

The program emphasizes participation in various athletic programs. Weightlifting and football are currently strongly encouraged. There are 2 hours of structured

recreational and leisure programming daily, 1 hour of large muscle exercise (outside when possible), a posted schedule, off-campus trips and life skills training.

Many youth are excited about sports and look forward to participation. Unfortunately, students are not allowed to participate until they reach the higher levels of the program.

c. Parental Involvement

Parents may visit students weekly. A staff person is charged with maintaining contact with parents and the community, and to assist with transition when students complete the program.

7. Medical

According to the administration, youth receive prompt physical exams, including dental, vision and immunizations within 30 days of admission. They also receive prompt and thorough substance abuse and suicide screening. Youth have access to sick call services and medication administration.

Medical records are not adequate, especially concerning examination of youth who have been restrained.

There is a registered nurse on duty during the week and a contract nurse on weekends. There is no coverage in the evenings. Both the registered nurse and the contract nurse do not appear to be fully competent in post-restraint examination of youth or the requirements of suspected child abuse reporting. Notes are frequently filed several days after the event and are not thorough or complete. The determination whether a youth has been injured during a restraint is sometimes solely based on the youth's self-report, or by a report from staff over the telephone. Pictures of injuries are not included in the files. The youth's statement describing what happened to him is not included on the forms currently in use in the medical department.

8. Youth Advocacy, Internal Monitoring and Investigation

a. Youth Advocacy

DJS has assigned a Child Advocate to the facility and youth are aware of the grievance process. Upon questioning, youth appeared to be confused between the SOA internal grievance system and the DJS grievance system. Further, although the DJS grievance system forms are located in the units, the locked grievance box is located in the main administration building. One youth responded that when he fills out a grievance form, he has to give it to staff to place in the grievance box. Youth appear to be reluctant to file grievances.

One of the Silver Oak program's treatment "non-negotiables" is that youth cannot complain about the program or staff. The Youth Handbook explains both the DJS and an internal grievance system, but two of the "non-negotiables" listed for Guided Group Meetings (GGM's) are complaining about staff and the program. According to staff, those rules only apply to the GGM's and they do not supersede the youth's ability to file a grievance. The DJS Child Advocate said she believes the youth understand their right to file grievances.

b. Internal Monitoring

SOA is monitored by the DJS Office of Program Evaluation. The most recent evaluation was done on January 11, 2010. The report of this evaluation indicates that the program was found in full compliance in the areas of food services, employee records and incident reporting. Partial compliance was found in emergency planning, general safety and transportation, and in staff training.

Incident reporting appears to have deteriorated significantly since the January review by DJS.

RECOMMENDATIONS

1. SOA must report incidents properly and accurately to DJS via the Incident Reporting Database.
2. The Refocus program should be redesigned.
3. Prone restraint must never be used. Physical restraint must not be used as a disciplinary measure or to force compliance with rules.
4. All staff must be aware of their responsibilities to report suspected child abuse.
5. The facility must maintain an altercation/injury log for youth and enter all physical restraints into the log.
6. Youth should be allowed to have two helpings of food at meals, should have appropriate snacks available throughout the day, and must be provided with appropriate substitutes when pork is served.
7. Strenuous exercise must not be used as punishment.
8. At least two staff should be on duty in each unit throughout the night.
9. Security cameras should be installed throughout the facility.

10. Qualified permanent teachers should be hired for the vocational program. Appropriate equipment should be purchased.
11. The administration must adequately address the high number of AWOL's.



MARLANA R. VALDEZ
Director

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

FACILITY REPORT
THE WAY HOME-MOUNTAIN MANOR
JANUARY- MARCH, 2010

Facility: The Way Home-Mountain Manor
3800 Frederick Avenue
Baltimore, MD 21229
Program Director: Jennifer Posey

Date(s) of Visit: February 26, March 19 and 22, 2010

Reported by: Claudia Wright
Senior Monitor

Persons Interviewed: Paul Wells, Executive Director Mountain Manor; Barbara Groves, Vice President Mountain Manor; Jennifer Posey, Program Director, The Way Home; DJS Child Advocate, youth.

Date of Report: May 2010

INTRODUCTION

The Way Home (TWH) is a non-secure group home for girls who are committed to the Department of Juvenile Services (DJS). It is located within the Maryland Treatment Center, Inc., Mountain Manor complex of therapeutic programs in West Baltimore. The Way Home provides services to 12 residents.

SUMMARY OF FINDINGS

The Way Home offers a gender-appropriate, comfortable and therapeutic environment to troubled girls. The program benefits from its location on the grounds of Mountain Manor, which offers a wide variety of inpatient and outpatient mental health services. During the 1st quarter, The Way Home experienced a change in leadership. In January, Jennifer Posey was appointed Program Director. Residents and staff have expressed enthusiasm for program changes made over the quarter.

FINDINGS

1. Population

The population remained below the rated capacity of 12 throughout the quarter. The Department should endeavor to utilize this facility to its full capacity.

2. Staffing

The DJS Office of Program Evaluation conducted an extensive file review on February 25, 2010, and found the facility in partial compliance with COMAR requirements in staff training. A number of files did not contain documentation of required training. The Way Home staff have not participated in the gender responsive training offered by DJS. The Department should encourage staff in all programs for girls to participate in gender responsive training.

Applicable Standard

COMAR 14.31.06.05. F (1) *The licensee shall ensure that each employee who provides direct care to children shall receive a minimum of 40 hours of initial and annual training.*

3. Safety and Security

a. Aggregate incidents

Twenty-two incident reports were filed during the quarter:

AWOL of youths	4
Inappropriate conduct or comments by youth	1
Contraband	2

Physical assault youth on youth	1
Curfew violation	1
Destruction of property	1
Suicidal ideation	1
Non-routine off-grounds medical care	2
On grounds medical care	5
Other	4

b. Behavior Management Plan

The Way Home girls participate in a six-level behavior management system. Residents may apply for promotion to a higher level every two weeks. Requirements for promotion are based on each resident’s treatment goals and therapeutic needs. Girls receive incentive awards such as increased computer time, cash allowance, and “kudos” which girls spend at The Way Home’s store. Counselors and youth collaborate to develop individual program tasks and goals. There is a clear set of program rules and consequences for rule violations.

Applicable Standard

COMAR 14.31.06.15.A (1)(a)(b)(c)(f). *The licensee shall establish and follow written policies and procedures that are communicated to the child, the child’s parent, employees, and the placing agency; identify all approved forms of discipline; specify the approved procedures for the administration of each form of discipline; and periodically review the forms of discipline used for effectiveness and safety.*

4. Physical Plant and Basic Services

a. Fire Safety

The program complies with all fire safety requirements.

b. Physical Plant

The Way Home group home is on the third floor of the main building of the Mountain Manor complex. It is not fancy, but it appears to be comfortable and appropriate for teenage girls. The structures and grounds are in good condition and comply with all health and safety codes. It is conveniently located for girls who need to use the bus for school or work.

c. Basic Services

Basic services including food, clothing and shelter are adequate. Health Department inspections are up to date.

Applicable Standards

COMAR 14.31.06.07 (A)(4). *The licensee shall ensure compliance with the local fire and health requirements by submitting annually to the licensing agency, reports of all fire and health inspections conducted by the local jurisdiction.*

COMAR 14.31.06.07.C.1 *The licensee shall maintain all structures and grounds in good condition, free from health or safety hazards.*

5. Education

The Way Home residents go off campus for school and work. The director maintains close contact with school authorities.

Applicable Standard

COMAR 14.31.06.12.2(C) *The placing agency and licensee shall work cooperatively with the local school system to participate as appropriate in the child's educational activities.*

6. Rehabilitative and Recreational Programming

a. Therapeutic Program

Girls at The Way Home participate in individual, group and family therapy. Individual and group grief counseling were added to the array of services this quarter. Outpatient substance abuse services are available within the Mountain Manor complex of programs. Treatment teams meet weekly to determine progress and treatment needs.

b. Recreational Programming

A Program Coordinator has been appointed for the group home. The Program Coordinator works with the residents to develop a monthly schedule of activities that includes community service activities, sports and recreation, cultural enrichment field trips and group games and activities within the home. Recent activities include game nights, manicure and pedicure nights, "A Night at the Theater", Laser Tag and Ice Skating. Girls have gone on field trips to the Maryland Science Center, Baltimore Aquarium and the American visionary Art Museum.

During the week, the residents go to the local library and the YMCA. In February, the girls produced a program for staff and families honoring Black Americans. The program included original art and poetry and a Step presentation.

c. Parental Involvement

TWH provides family counseling. Hours and availability have been increased to make family therapy sessions more convenient for family members. Therapy sessions can now be scheduled around visitation times.

Applicable Standards

COMAR 14.31.06.17.2.F *Within 30 days after admission, develop for each child an individual service plan that identifies documentation indicating that the child, child's advocates, guardian, and family, when appropriate, have been involved in, informed of, and agree with the plan.*

COMAR 14.31.06.17.2.F.3 (a) *Assure that the individual service plan is reviewed and updated at least every 90 days.*

COMAR 14.31.06.12.B.1 *The licensee shall provide the children with a range of indoor and outdoor recreation and leisure activities both in the program and in the community.*

7. Medical

Youth at The Way Home have access to all medical services available at the Mountain Manor complex.

Applicable Standard

COMAR 14.31.06.13 (A) *General Health Services. The licensee shall: (1) observe a written plan for the provision of preventive, routine, and emergency medical, dental, and mental health care for the children.*

8. Youth Advocacy, Internal Monitoring and Investigation

a. Youth Advocacy

The DJS youth advocate is very engaged with the girls at The Way Home. She visits there regularly, often several times per week, and conducts regular groups with the girls. Her commitment and participation has been an important component in the success of the program.

One grievance was filed during the quarter.

b. Internal Monitoring

The DJS Office of Program Evaluation regularly monitors the program. Their report, issued on March 30, 2010, addressed six standards. The Way Home was

in full compliance on all but staff training. The administration will prepare a corrective action plan on staff training.

Applicable Standards

COMAR 14.31.06.09.E.2 (a)(b)(c) *The licensee shall provide the child and the child's parents, as appropriate, a description of how to file a grievance, including any formal grievance forms or other requirements for the format and content of the complaint.*

RECOMMENDATIONS

1. The Way Home continues to improve. DJS should maintain the population at the optimum capacity.
2. The Administration must comply with COMAR requirements on staff training and documentation of staff training.
3. The Department should make gender responsive training available to staff at The Way Home.



MARLANA R. VALDEZ
Director

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

FACILITY REPORT
THE VICTOR CULLEN CENTER
JANUARY – MARCH, 2010

Facility: The Victor Cullen Center
6000 Cullen Drive
Sabillasville, MD 21780
Acting Superintendent: Bill Pickrel

Dates of Visits: February 23
March 11
April 2 and 29

Reported by: Tanya Suggs
Monitor

Persons Interviewed: Administrators, Direct Care Staff, Clinical Staff, and Youth

Date of Report: May, 2010

INTRODUCTION

The Victor Cullen Center (Victor Cullen/"VCC") is a 6 to 9 month hardware-secure treatment program that is State owned and operated. The facility houses adjudicated males between the ages of 14 and 19. It is located in Frederick County, just north of Sabillasville, Maryland. The facility capacity is set at 48 youth across four cottages. Currently there are 40 youths in residence.

SUMMARY OF CRITICAL FINDINGS

- Staffers are not receiving sufficient training in Positive Peer Culture, the therapeutic/rehabilitative model.
- Youth on Youth Assaults decreased by nearly 50% this quarter.
- A Community Detention Officer failed to place a mandated GPS tracking system on a youth sent home from VCC on a pass. The youth was arrested for an alleged drug-related offence a day before he was scheduled to return to VCC.
- The MSDE education building at VCC does not have video surveillance.
- A staffer completed a false incident report and there were instances where reports were not fully completed or submitted in a timely way.
- Three cottages at the facility need to have fire alarm wiring repaired.

FINDINGS

1. Population

a. General

The maximum capacity for the facility is 48. However, according to administrators and staff, DJS headquarters has decided to downsize facility capacity to 40. Staff at the facility were uncertain as to the reasons for decreasing the population cap, and do not if or when the population will increase back to prior set capacity. As of the end of the first quarter, there were two rooms closed in each cottage.

Facility Capacity	High Population	Low Population	Average Daily Population	Average Monthly Population	Number of Days Over Capacity
48	48	37	45	January- 47 February- 47 March- 41	0

b. Population Breakdown by Race/Ethnicity

	3rd Quarter, 2009	4st Quarter, 2009	1st Quarter, 2010
Total # of Youth Admitted	23	27	10
White	3	7	1
African American	19	20	8
Latino	0	0	1
Other	1	0	0

2. Staffing

a. General

Bill Pickrel, who was formerly an administrator at the DJS-operated Meadow Mountain Youth Center, is currently Acting Superintendent at Victor Cullen.

According to the administrator, there are top facility administrator vacancies; a contractual maintenance vacancy; a Regional Social Worker Supervisor vacancy; a part-time Psychologist vacancy, a Nurse Practitioner vacancy, and seven Residential Advisor (direct care staff) positions. It is uncertain as to how soon the Department will fill these vacancies.

MSDE has one vacant teacher position. MSDE recently filled the social studies teacher vacancy. Prior to filling of the social studies teacher vacancy, teacher's assistants taught the youth. However, teacher's assistants do not have the necessary certifications to teach youth without direct oversight of a certified teacher.

b. Staff Training

Victor Cullen uses Positive Peer Culture (PPC), a therapeutic treatment model focused on teaching youth responsibility by working to help others and holding peers accountable for their actions. Staffers said they are neither accustomed to PPC principles nor in the habit of using accepted PPC terminology because they receive training only once per year. Since staffers should lead by example, additional training

would prove useful by helping staffers adjust to PPC and to help staff in their attempts to create more of a therapeutic environment by strictly adhering to PPC practices on a consistent basis. Staffers believe youth will benefit if PPC becomes a permanent part of the culture through on-going training.

3. Safety and Security

a. Aggregate Incidents Comparison - First Quarter 2009 and 2010

Incident Categories	1st Qtr (2009)	1st Qtr (2010)
1. Youth on Youth Assaults	19	10
2. Youth on Staff Assaults	5	8
3. Group Disturbances (with bodily harm or property damage)	0	0
4. Group Disturbances (without bodily harm or property damage)	1	1
5. Restraints	26	25
6. Seclusions more than 8 hours	0	0
7. Seclusions	0	0
8. Youth Requiring On-Grounds Medical Care	14	17
9. AWOL	2	1
10. Escapes From DJS Custody (off grounds)	0	0
11. Alleged Physical Child Abuse (DJS Custody)	1	1
12. Suicide Attempts, Ideation, Gestures, Behavior	1	1

According to data from the DJS Incident database, the total amount of incidents during the first quarter of the year rose slightly in 2010 compared with 2009. There were 82 incident occurrences during the first quarter of 2009 compared to 86 during the first quarter of 2010. The number of Youth on Staff Assaults also increased slightly this quarter as compared with the same time last year.

On the positive side, Youth on Youth Assaults decreased by nearly 50% compared to the 1st Quarter of 2009, from 19 to 10. Physical restraints have very slightly reduced this quarter as compared to the first quarter last year (25 versus 26).

According to the DJS Incident Database, there were five incidents this quarter in which youth were in possession of contraband.²⁵ All of the contraband incidents involved youth attempting to ferment liquor or make tattoo guns. Staff discovered a bottle containing a clear liquid that smelled like alcohol and a Trazodone pill while conducting searches. All contraband issues listed in the database occurred on Prettyman Cottage, which houses youth believed to have problems with substance abuse.

²⁵ Only three of the five incidents are listed in the database- IR #s 81304, 80613, and 80248.

Considering youth attempts to hide contraband and the large and violent group disturbance in May of 2009, the Department should consider replacing wooden dressers with secure furniture (“see through” plastic etc.) throughout the facility.

b. Youth Arrests

The Juvenile Justice Monitoring Unit is in the process of updating its 2009 recidivism study of youth completing the Victor Cullen program. Since the re-opening of Victor Cullen, youth completing the VCC program have been rearrested and convicted/adjudicated on new offenses at a discouragingly high rate. In addition, the vast majority of new arrests occur in the adult system (See the JJMU report for the Third Quarter, 2009, and the JJMU Annual Report for 2009.)

As the program model acculturates, and with better aftercare for youth released, it is hoped that recidivism rates among VCC graduates will decrease.

During the writing of this report, a youth went home from VCC on a home visit pass. The youth was arrested the day before he was scheduled to return to the facility.²⁶

According to DJS case management notes found in the ASSIST database, the youth was required to have a GPS (real-time electronic tracking system) ankle bracelet while on his visit home. The staffer responsible for setting up the GPS unit had the youth’s home arrival date incorrectly noted. The staffer turned up at the youth’s home to install the GPS system the night before the youth was due home and did not return to the home to install the GPS system with ankle bracelet.

The night before the youth was scheduled to return to VCC, he was arrested for an alleged intent to distribute controlled substances and found not to be wearing the mandated electronic monitoring/tracking device.

c. Video Surveillance

The residence halls at Victor Cullen are equipped with video surveillance, but the MSDE school building does not have internal video surveillance. The installation of video surveillance is essential to ensure the safety and security of staff and youth. Video review also serves as a training tool for staff.

d. Incident-Related Procedures, Practices, and Reporting

During the quarter, several staffers did not report incidents in a timely manner or did not provide full reports of incidents. In one case, the DJS internal investigatory arm (DJS-OIG) found that a staff member submitted a false report. (See Section 8b, under “Incident and Child Abuse Reporting and Investigation,” for details.)

²⁶ DJS Incident Database Report 82081. The incident occurred during the 2nd Quarter of 2010, as this report was being written.

Applicable Standards

Md. Standards for Juvenile Detention Facilities 6.9 *The facility shall be controlled by appropriate means to ensure that the youth remain within the perimeter and to prevent access by the general public without proper authorization. Perimeter surveillance shall be maintained through mechanical surveillance devices (e.g., electronic, pressure, or sound detection system, mobile patrols, or a combination of these systems).*

Department of Juvenile Services Policy 03-07-4a (4) *The DJS Incident Reporting Form (Appendix1) shall be used to report all incidents (critical and reportable) related to public safety and the proper care, health, safety, and humane treatment of DJS youth.*

Maryland Department of Juvenile Services Standards of Conduct 2.19.1. *Reports submitted by employees shall be clear, concise, factual and accurate.*

4. Physical Plant and Basic Services

a. Fire Safety

The Maryland State Fire Marshal's Office conducted a fire safety inspection on March 15, 2010. There were no serious findings noted. Simplex Grinnell, the fire safety vendor for Victor Cullen, completed a service request in March 2010. The service report stated that there is no fire monitoring on three cottages due a "bad ground wiring" in the fire alarm system that should be replaced immediately. Reportedly, the alarm system sounds sporadically. The Administrator cited miscommunication between the DJS IT Office and the vendor servicing the alarm system when trying to ascertain whether or not the problem was resolved. A corrective action plan is pending.

b. Physical Plant

The physical plant appears to be clean and well kept. On two occasions during the quarter, the video surveillance system failed.²⁷ The maintenance staff corrected the problem by using a back-up generator.

c. Basic Services

The Maryland Department of Health and Mental Hygiene conducted a health/environmental inspection on February 10, 2010. The only finding was that the kitchen dish drying rack is flaking and peeling, posing a hazard if flaking paint falls onto food trays. The facility was advised to repair or replace the rack.

²⁷ DJS Incident Report database # 81143 and 80704.

Applicable Standard

Md. Standards for Juvenile Detention Facilities 5.2 *All detention facilities shall conform to state fire safety requirements. The State Fire Marshal is responsible for inspecting state institutions and insuring appropriate safety procedures.*

5. Education

a. General

The Maryland State Department of Education provides academic instruction onsite to Victor Cullen Youth for 6 hours per day.

The Monitor observed the school environment and different classroom settings several times this quarter. Problems between DJS Resident Advisors (RA's) and youth were observed. On several occasions, RA staff interrupted the class by entering and exiting the classroom and calling youth out of the class, for reasons not constituting an emergency. The youth entered and exited the classroom without permission from the staffer or the teacher.

On several occasions, staffers gathered in the back of the classroom and held non-work related discussions while class was in session instead of focusing on the youth. Staffers also scattered about in the hallway and chatted among themselves instead of remaining at their post.

MSDE and DJS acknowledged that this has been an ongoing problem. They said that DJS staffers do not appear to fully understand their responsibilities while assigned to sit in the classroom with the youth. DJS staffers should also have a clear understanding as to when they should intervene with youth acting out to avoid interfering with the teacher's classroom management.

A corrective action plan is pending, and MSDE and DJS will collaborate and create a Facility Operating Procedure that will clearly define the Residential Advisor's role in the classroom. MSDE plans to post, in the school building, a list of DJS staff expectations. Post orders should be posted next to each classroom that clearly states what staffers are posted in that classroom, their duties, any breaks that will be taken, and the time that their assignment will end at that post.

DJS and MSDE have already begun assigning a Residential Advisor Lead in the school building to serve as a supervisor. Some of her major responsibilities include ensuring smooth transitions when youth are transported from one area to the next, and ensuring that staffers remain at their assigned post. MSDE reported that the newly assigned position has been helpful.

b. Vocational Education

MSDE operates an electrician-training program for many youth at VCC. While this is a very popular program and many youth benefit from it, no other vocational training is provided. The facility should consider ways to expand vocational programming. The school also runs a paid horticultural program for youth who have obtained a GED or High School Diploma. The program runs on a daily basis from 8am to 11am and from 12:30pm to 3:30 pm.

6. Rehabilitative and Recreational Programming

a. Therapeutic Program

Positive Peer Culture (“PPC”) is the therapeutic Model used at Victor Cullen, with the intention of teaching youth how to develop a sense of worth and responsibility by holding their peers accountable for their actions. EQUIP is also utilized, as a skills-based component of Positive Peer Culture. The youth attend Positive Peer Culture group four times per week, and EQUIP and Seven Challenges (for substance abuse) twice a week.

Staff interviewed during the quarter continued to emphasize the impracticality of trying to use the PPC model with all of the youth population held at Victor Cullen. PPC requires youth to hold their peers accountable for their behavior, yet many of the youth in the program are unable to function successfully in a peer-oriented system because of the chronic level of their substance abuse and mental health issues. These foundational problems must be addressed before youth are amenable to being held accountable or holding others accountable for behaviors.

b. Recreational Programming

Youth receive 2 hours of structured recreational and leisure programming daily, including 1 hour of large muscle exercise.

7. Medical

Throughout the quarter, the Monitor reviewed sports-related incident reports.²⁸ Sneakers worn by the youth are of poor quality and do not provide ankle support for youth engaged in physical activity. The vendor that the Department contracted with provides the same type of sneakers to many DJS facilities. The Monitor recommends that the Department contract with a company that provides high-top sneakers that are designed for sports and physical recreation to decrease the incidence of ankle injuries.

²⁸ DJS Incident database report # 80246, 80245, and 80891.

8. Youth Advocacy, Internal Monitoring and Investigation

a. Youth Advocacy

According to the Grievance Summary Report, youth filed six grievances this quarter. The grievances pertained to clothing, food service, telephone calls, alleged inappropriate staff behavior, and alleged threats by staffers.²⁹ Two of the three grievances received by the Monitor were resolved. The resolution of the third grievance regarding a youth's phone call is pending.

According to the Victor Cullen Residential Handbook, youth must discuss their concerns with staff before they complete and submit a formal DJS grievance form. DJS policy provides that youth may file grievances confidentially, and discuss concerns directly with the DJS Child Advocate. They are not required to first address concerns with program staff.

The Monitor reviewed the grievance section of the book with the Assistant Facility Administrator and sent an email to the Child Advocate to ensure that youth understand the proper procedures for following a grievance. A corrective action plan is pending.

All youth interviewed during the quarter reported that they really like the educational program at Victor Cullen because the teachers are genuinely concerned and will go the extra mile to help the youth. Youth also reported that the Superintendent is a great listener. However, some of the youth expressed the need for Victor Cullen to address the low staff morale.

Youth who primarily have substance abuse issues rather than behavior issues, expressed a need for additional treatment. The youth reported that the Seven Challenges (substance abuse) Treatment Program is held only twice per week.

Some scenarios used in the Seven Challenges Program involve minor incidents such as stealing candy and youth said the program is not designed to address real life issues that have caused them to be at the facility, such as auto theft or serious substance abuse.

b. Internal Monitoring

The DJS Office of Quality Assurance and Accountability has not issued a report for Victor Cullen at this time.

²⁹ The JJMU received three of the six grievances.

c. Incident and Child Abuse Reporting and Investigation

There were three formal investigations by the Office of Inspector General during the quarter - two Alleged Inappropriate Conduct/Comment by Staff and one Physical Assault Youth on Youth Due to staff Negligence.

In one case, a staffer alleged he witnessed another direct care staffer sitting with a youth in an appropriate manner. The DJS investigator ruled the allegation “not sustained” due to insufficient evidence. However, the OIG investigator “sustained” a violation of DJS policy against the reporting staff member because he did not complete a DJS Incident Report as required by the Department’s policy.³⁰

A staffer alleged inappropriate relations between a direct care staffer and a youth. DJS-OIG also ruled this accusation “not sustained” due to insufficient evidence. However, DJS-OIG “sustained” a violation of DJS policy against the staffer who made the accusations, finding that she had filed a false report. Youth, staff, and the staffer’s family members confirmed that the staffer made false allegations.³¹ Child Protective Services screened out the allegation. Maryland State Police concluded there was no criminal conduct.

In one incident, a staffer failed to supervise a group of youth. The youth met in the bathroom, without the staffer’s knowledge, to handle an unresolved dispute. The youth engaged in a physical altercation. As a result of the altercation, one youth received a swollen eye. DJS-OIG “sustained” a violation of DJS policy against the staffer for failure to supervise the youth and for failing to fully report the incident in a timely fashion.

Applicable Standards

Department of Juvenile Services Policy 01-07 4a (7) (ii) *The facility administrator shall ensure that only the persons necessary to resolve a grievance are aware of the contents of the grievance.*

Department of Juvenile Services Policy 01-07 9b (1) (i) (a) (b) (c) *A youth may initiate a grievance at any time by speaking directly to a Youth Advocate, completing the grievance form and placing the form in the designated grievance box, requesting an employee to contact the Youth Advocate as soon as possible, or requesting an employee to contact the Youth Advocate as soon as possible.*

RF-10-07.4.a.6 (6) *Employees working with youth shall learn ways to encourage prosocial behavior within and between youth.*

³⁰ DJS OIG Investigative Report # 10-80673

³¹ DJS OIG Investigative Report # 10-80300

RECOMMENDATIONS

1. The Department should fill staff vacancies as soon as possible.
2. The Department should increase the frequency of staff training on Positive Peer Culture.
3. The Department should consider replacing wooden furniture with a safer form of furniture.
4. The Department should provide closer supervision and oversight to GPS installation employees to ensure that youth chosen for GPS are placed on the tracking system in a timely fashion.
5. Administrators and Unit Managers should brief and de-brief staff on each shift and review logbooks to ensure all incidents are reported.
6. The facility administrators should ensure complete repairs to the fire alarm systems on the three cottages as soon as possible.
7. The facility should replace or repair the dryer rack as soon as possible.
8. MSDE and DJS should collaborate and create a Facility Operating Procedure that clearly states the responsibilities of DJS staff during school time.
9. DJS should post DJS staff post orders next to each class in the MSDE school.
10. The Department should contract with a vendor for the provision of appropriate, durable and comfortable athletic shoes.
11. The facility should correct the resident handbook so that only completely accurate information on the DJS youth grievance policy is included.
12. The child advocate should ensure all youth are aware of proper DJS procedure for filing a grievance.

UNABATED CONDITIONS

1. The Department should install surveillance cameras in the hallways of the MSDE school building.



MARLANA R. VALDEZ
Director

STATE OF MARYLAND
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JUVENILE JUSTICE MONITORING UNIT

FACILITY REPORT
THOMAS J. S. WAXTER CHILDREN'S CENTER
JANUARY - MARCH, 2010

Facility: Thomas J.S. Waxter Children's Center
375 Red Clay Road, SW
Laurel, MD 20724
Administrator: Johnitha McNair

Dates of Visits: January 5, 6 and 13; February 1, 3 and 23; March 3, 17, 24
and 31, 2010

Reported by: Claudia Wright
Senior Monitor

Persons Interviewed: Superintendent Johnitha McNair, Assistant Superintendent
Monica Collier, direct care staff, youth

Date of Report: May, 2010

INTRODUCTION

Thomas J. S. Waxter Children's Center is a Department of Juvenile Services (DJS) owned and operated detention/residential treatment facility in Laurel, Maryland. The facility is comprised of one detention unit, one pending placement unit, and one secure committed program for young women under the age of 22. The facility capacity is 40.

SUMMARY OF CRITICAL FINDINGS

- Approximately half of the direct care staff have completed gender responsive training. This training has delivered significant positive results in the operation of the program.
- Co-mingling of committed and detained residents has been reduced, but still occurs due to the limitations of the physical facility.
- Fixed video cameras have been installed throughout the main facility. Cameras should also be installed in the school classrooms.
- Fire drills are not held on the overnight shift when youth are asleep.
- A number of important staff positions are open. An Assistant Superintendent and two nurses should be hired as soon as possible.
- The condition of the physical plant is significantly improved, but remains unacceptable for the long term.
- Waxter does not have adequate space for medical separation of youth.
- Mentally ill youth are inappropriately placed at Waxter.

FINDINGS

1. Population

a. General

Facility Capacity	High Population	Low Population	Average Daily Population	Average Monthly Population	Number of Days Over Capacity
				January 28	

40	36(1/25/10)	22(1/5/10)	29	February 29 March 28	0
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The population at Waxter remained low for most of the quarter. The reduction in population contributed to improved conditions at the facility. No new residents were admitted to the committed program during the quarter, and by March 31 there were only three girls in residence.

b. Detention and Pending Placement

	Number of Youth in Status 60+ Days³²	Number of Youth in Status 90+ Days³³
Detention	3 (74, 85)	1
Pending Placement	0	0

c. Race/Ethnicity Breakdown

	1st Quarter, 2009	1st Quarter, 2010
Total # of Youth	227	162
White	47	24
African American	176	130
Latino	2	3
Other	2	5

³² March 31, 2010

³³ March 31, 2010

2. Staffing

a. General

At the end of the quarter, there were openings in a number of important positions. The Assistant Superintendent position is now open. The medical department needs to fill 2 nurse positions. One case manager retired and that position will be filled. There are also three contract direct care staff positions to be filled.

b. Staff Training

According to the Superintendent, approximately half of the Waxter direct care staff have attended Gender Responsive training. The Waxter program is moving slowly, but steadily, towards a fully operational gender responsive program. Gender Responsive training has resulted in obvious, significant benefits to both the girls and the staff.

Applicable Standard

American Correctional Association Standards for Juvenile Detention Facilities 3-JDF-1C-04 *The staffing requirements for all categories of personnel are determined to ensure that juveniles have access to staff, programs, and services. Comment: Staffing requirements should be determined on more than juvenile population figures and should include review of staffing needs for all programs and services. Workload ratios should reflect such factors as goals, legal requirements, character and needs of the juveniles supervised, and other duties required of staff. Workloads should be sufficiently low to provide access to staff and effective services.*

3. Safety and Security

a. Aggregate Incidents

Incident Categories	1st Quarter 2009	1st Quarter 2010
1. Youth on Youth Assault	21	19
2. Youth on Staff Assault	4	2
3. Group Disturbances (with bodily harm or injury)	0	2
4. Group Disturbances (without bodily harm or property destruction)	1	0
5. Physical Restraint	73	44

6. Seclusions (more than 8 hours)	0	0
7. Escapes/AWOL's	0	0
8. Suicide Attempts, Ideation, Gestures, Behavior	32	12

b. Group Disturbances

There were two group disturbances in which both staff and youth were injured during the quarter (IR #09-79436; IR #10-80274). Both incidents resulted from situations in which girls did not want to leave the Jewel Room³⁴, and when ordered to return to their rooms, barricaded the door and refused to leave. Both incidents were investigated by DJS Office of the Inspector General. In both incidents, it was determined that staff failed to follow proper procedures and disciplinary action was recommended.

c. Security Equipment and Practices

Fixed video cameras were installed throughout the facility during the quarter. These cameras are continuously monitored on screens in master control and also continuously record. Cameras should also be installed in the school trailers. The master control area was moved from the Tour Office to the front desk. Security procedures (checking identification, securing car keys and cell phones) have been enhanced.

Applicable Standard

Videotaping of Incidents Policy RF-05-07 *DJS employees shall videotape room extractions, escorts to seclusions, use of restraints, or other critical incidents that relate to the safety and security of a residential facility. Incidents shall be videotaped unless videotaping of the incident compromises the safety and/or security of youth and/or employees.*

d. Restraints and Seclusion

Physical restraint was used in 44 incidents over the quarter. Some incidents involved more than one youth. There were no incidents of seclusion for more than 8 hours. Youth were placed in seclusion 13 times. Staff continue to note “imminent threat” in every instance rather than providing clear justifications for each use of seclusion.

³⁴ The Jewel Room was located on the B wing (detention). It is a day room/lounge area where residents could watch TV, play video or board games, read books or listen to music. The Jewel Room is now closed during the renovation of the B wing for housing of the committed program.

Applicable Standards

Md. Dept. of Juvenile Services Policy and Procedure RF-02-07 (4) (a) (2) (ii) *Restraints shall be used as a last resort only when a youth displays behavior indicative of imminent injury to self or others, or makes an overt attempt to escape. The goal of a physical restraint should be to ensure safety.*

Md. Dept. of Juvenile Services Policy and Procedure RF-01-07 (4) (a) (7) Seclusion *shall not be used as punishment and is limited to youth who: (i) Present an imminent threat of physical harm to themselves or other individuals; (ii) Have not responded to less restrictive methods of control or for whom less restrictive measures cannot reasonably be tried; or (iii) Have escaped or are attempting to escape.*

4. Physical Plant and Basic Services

a. Fire Safety

A fire safety inspection was done on January 19, 2010. All recommended repairs were accomplished by the end of the quarter, except for required improvements to the deep-fat fryer. The administration is considering whether to repair or purchase new equipment.

Laundry equipment has not been improved and remains problematic. The dryer on the B Unit poses a potential fire hazard.

b. Physical Plant

A health inspection was completed on March 3, 2010. The physical plant at Waxter is not appropriate for housing of teenage girls. The current administration has worked hard to make the facility as livable as possible under the circumstances, but a new building will be essential. Two bathrooms have been renovated, but the bathroom on the C unit remains in unacceptable condition.

The committed program should be moved to a separate facility to prevent co-mingling of committed and detained girls, and to provide adequate room for medical and program services for detention.

c. Basic Services

Many important improvements were made to the physical facility during the quarter. These improvements have resulted in a much cleaner, more pleasant environment for the residents and the staff. First, professional cleaners were hired and carried out a deep cleaning of the entire facility. All the living units have been freshly painted in attractive colors. New bedding, including pillow cases, sheets, comforters, floor mats and rugs, decorative pillows and colorful towels have been purchased and

distributed to the girls. New furniture has been ordered. Flat screen TV's have been installed in the living areas. Last year, new bathrooms were installed on the A and B wings.

Near the end of the quarter, the detention program moved from the B Unit to the A Unit and the committed program moved into the B Unit. This move will decrease the co-mingling of detained and committed girls, and will diminish the number of interruptions in the committed program that were caused by girls from the other Units moving through on their way to other activities. The move to the B Unit energized staff and created enthusiasm for making the physical setting attractive, pleasant and appropriate for teen-age girls. Each girl has her own room, with her own color scheme for bedding and accessories. Individual lighting has been added so girls can read when they are in their rooms. There are dressers and footstools for storage of personal belongings. The detention program, which is now housed on the A Unit, will be receiving similar upgrades in the near future. The change in the environment, and the attitude and behavior changes that accompany the new look of things is striking. The clear message to youth entering the facility is that the administration cares that youth have an appropriate environment while they are there.

There have also been improvements in the common areas of the facility. The lobby and hallways have been dressed up with fresh paint and attractive stencils and murals on the walls. The cafenadium remains a problem with painfully high noise levels and limited space for activities, but it did get a fresh cleaning and a coat of paint.

All the residents received new clothes for the summer.



New Bathrooms at Waxter Center for Girls



Applicable Standards

American Correctional Association Standards for Juvenile Detention Facilities 3-JDF-2C-03 *Each sleeping room has at a minimum the following facilities and conditions: Sanitation facilities, including access to toilet facilities that are available for use without staff assistance 24 hours a day;*

A wash basin with hot and cold running water;

A bed, desk, hooks or closet space, chair or stool;

Natural light;

Temperatures that are appropriate to the summer and winter comfort zones

Md. Standards for Juvenile Detention Facilities 5.6.5.2 Clothing *Youth shall be provided the opportunity to have three complete sets of clean clothing per week.*

Md. Standards for Juvenile Detention Facilities 5.6.2.5 Clean bedding *The facility shall issue clean bedding and linen, including two sheets, a pillow and pillow case, a mattress, and sufficient blankets to provide comfort under existing temperature controls. Linen shall be exchanged at least weekly, and towels exchanged three times per week.*

5. Education

The Waxter education staff does a good job under less than optimum circumstances. The education trailers received some upgrades, including new floors and painting, but should be replaced. The trailer classrooms are cramped and dark, and do not provide a physical environment conducive to learning. The commitment education program should be conducted separately from the detention program.

Special education services are offered and staff strive to be sure that all requirements are met. Sometimes it is difficult to get records from public schools during the short time period that most girls are in the facility. Physical education is offered by the education department.

6. Rehabilitative and Recreational Programming

a. Therapeutic Program

Growing Great Girls is a gender responsive, trauma informed program that is utilized at Waxter. The program is beginning to take hold, especially with the girls in the committed program. Both girls and staff understand the tenets of the program and use them in their daily activities. Holding the population of the committed program at a very low level (3 or 4 girls) for an extended period of time certainly contributed to the apparent acceptance and understanding of the program. Now, with the move of the committed program to the B Unit, new girls are being admitted and will have to assimilate into the group. It will be important for the administration to keep a close eye on daily developments as the program is extended.

The outlook for Growing Great Girls is positive, especially in regard to the conditions within the facility. There is no data yet on whether the program has any positive effect on behavior once the girls leave the facility.

b. Recreational Programming

Organized recreation programs have been unfocused at Waxter. But there has been improvement. Physical education is provided as part of the school day. The administration has endeavored to provide organized sports activities, indoor and outdoor for the girls. Class Acts, a private vendor, offered a very popular Shakespeare Project. Maryland Institute College of Art continued its photography workshop, and girls in the committed program will have a showing of their photos at MICA in Baltimore on May 1. School teachers organized community service activities such as visiting a local nursing home. A new yoga class is starting for the committed program, and all the equipment has been purchased. Girls may participate in poetry writing.

Volunteer groups provide some program services. The Maryland Women's Bar provides educational programs. Residents can participate in Girl Scouts. And a variety of religious organizations offer spiritual and motivational activities.

c. Parental Involvement

Supervised visiting and phone calls with family are encouraged. Regular visiting hours are on Saturdays.

Applicable Standard

Md. Dept. of Juvenile Services Policy and Procedure RF-08-07 Recreational Activities Policy (4) (a) (1) *A qualified employee trained in recreation and/or leisure services shall be responsible for planning, organizing and supervising recreational activity programs, including the use of the gym, outdoor areas, arts and crafts programs and special events.*

7. Medical and Behavioral Health

a. Basic Medical Services

Adequate basic medical services are provided at Waxter.

b. Medical Staff

Youth have access to medical staff from 7 a.m. to 9:30 p.m. during the week and from 8 a.m. to 8:30 p.m. on weekends. A psychiatrist and a gynecologist are each available one day per week; a pediatrician is available two days per week. There are two positions open for nurses.

There is no infirmary at Waxter. Youngsters who are sick, or who must be separated from the population for other health or safety reasons, must be housed in holding cells in the Tour Office (the admissions area). The lack of adequate space for medical separation is of particular concern for youth in the long-term secure program, pregnant youth, youth with contagious diseases, and mentally ill youth. If the enhanced Academy were relocated, the C wing at Waxter could be converted into a full-service medical wing for girls.

c. Mental Health Services

The mental health department is now fully staffed with 3 PhD psychologists, a Master's level psychologist and two substance abuse counselors. Many youth with significant mental health issues are held, sometimes for long periods of time awaiting placement in Residential Treatment Centers, at Waxter. The mental health team now working with Waxter girls has helped to alleviate many of the problems inherent in housing mentally ill youngsters.

Applicable Standard

Md. Standards for Juvenile Detention Facilities 4.3.2.2 Transfers to mental health agencies *When a youth demonstrates behavior that is indicative of severe emotional disturbance that indicates a need for more intensive services than can be provided on site, the youth shall be seen by the designated facility health professional. If the health professional determines that a youth's behavior is a risk to himself or others, the health professional shall authorize the youth to be transferred to an area hospital for evaluation.*

8. Youth Advocacy, Internal Monitoring and Investigation

a. Youth Advocacy

There are two advocates assigned to review grievances at Waxter. Both advocates are very conscientious. The girls at Waxter appreciate their efforts to resolve grievances fairly. Youth understand the grievance system, and are not hesitant to file grievances. During the first quarter, 9 grievances were filed.

b. Internal Monitoring

The most recent DJS Quality Improvement report on Waxter was filed in December 2008.

RECOMMENDATIONS

1. The Enhanced Academy, the long term secure commitment program, should be relocated. If that occurs, the medical department should consider moving to the C wing. That wing could provide space for comprehensive medical services to girls from other programs, including an infirmary.
2. All staff who work directly with youth should complete the gender responsive training.
3. Fire drills should be held once per month on each shift. At least one drill per month should be held during sleeping hours.
4. The Department should consider using a professional laundry service to insure adequate sanitation and reduce risk of fire.
5. Mentally ill youth should not be housed at Waxter.
6. Critical staff positions should be filled as soon as possible.

7. Cameras should be installed in school classrooms.
8. Long terms plans should be developed to close the Waxter facility.



MARLANA R. VALDEZ
Director

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

FACILITY REPORT
WESTERN MARYLAND CHILDREN'S CENTER
JANUARY - MARCH, 2010

Facility: Western Maryland Children's Center
18420 Roxbury Road
Hagerstown, Maryland 21740
Mark Bishop, Facility Administrator
301-745-6051

Date(s) of Visit: January 7
February 16
March 24, 2010

Reported by: Tim Snyder, Juvenile Justice Monitor

Persons Interviewed: Facility Administrator
Supervisors of Group Living
Resident Advisors
Various youth.

Date of Report: May 2010

INTRODUCTION

The Western Maryland Children's Center (WMCC) is a State owned and operated detention facility located in Washington County just outside of Hagerstown. WMCC is designed to accommodate a total of 24 youth in two 6 bed pods and one 12 bed pod. At present only males are housed at the facility.

SUMMARY OF CRITICAL FINDINGS

- Overpopulation of facility
- Fencing and fixture security additions are needed.
- Programming is insufficient.

FINDINGS

1. Population

a. General

Facility Capacity	Month	High Population	Low Population	Average Daily Population	Average Monthly Population	Number of Days Over Capacity
24	January	25	18	20	20	2
24	February	24	17	21	21	0
24	March	30	23	23	25	26

Source: WMCC daily census report

WMCC was over populated 26 days in March. The facility had 28 or more youth on 13 days in March. The additional youth must sleep in the day rooms on the pod(s). This creates a potentially dangerous situation especially when staff must respond to a duress call and there are not enough rooms to secure the additional youth.

b. Detention and Pending Placement

	Number of Youth in Status 60+ Days	Number of Youth in Status 90+ Days
Detention	5 (75), (64), (64), (64), (60) days	3 (275), (104), (96) days
Pending Placement	5 (83), (83), (78), (74), (66) days	0

Source: DJS ASSIST Database

c. Population Breakdown by Race/Ethnicity

	3 rd Quarter, 2008	4 th Quarter, 2008	1 st Quarter, 2009	3 rd Quarter, 2009	1 st Quarter 2010
Incidents of Confinement	122	128	135	129	128
White	72 (59%)	54 (%)	50 (37%)	60 (46%)	56 (44%)
African American	45 (37%)	66 (51%)	83 (61%)	64 (50%)	66 (52%)
Latino	4 (3%)	6 (5%)	2 (2%)	5 (04%)	3 (2%)
Other	1 (1%)	2 (2%)	0	0	3 (2%)

Source: DJS ASSIST Database

Applicable Standard

Maryland Standards for Juvenile Detention Facilities, Part II, Purposes, Values and Goals of Juvenile Detention Facilities. *Detention is the temporary care of youth who, pending court disposition, require secure custody for the protection of themselves or the community in physically restricting facilities. The major goals of a juvenile detention facility are: the protection of the public, the provision of a safe, humane, caring environment, and access to required services for youth.*

2. Staffing

a. General

WMCC has a very dedicated staff and this was evident during the winter snow storms. A number of staff stayed over to help the facility maintain adequate coverage and provide services. A cook stayed in a local hotel rather than go home, and a

maintenance person slept in the infirmary to be available whenever needed. Those staff members with four-wheel drive vehicles helped pick up other staff who would have otherwise been unable to come to work.

Direct care staffing levels at WMCC have increased. In September of 2009, there were only 22 Resident Advisors. At the end of the 1st Quarter 2010 there were 26 Resident Advisors on staff with one RA vacancy. There is also one Resident Advisor Supervisor vacancy. Based on the goal of having 1.7 staff for each direct care position to maintain adequate staffing, WMCC has nearly reached that number.

Given the mental health needs and the addiction issues that many of the youth demonstrate, DJS should provide a second Social Worker and a second Addictions Counselor.

When the facility is significantly overcrowded, as it was in March, staffing, and facility resources are strained. In addition to the sleeping room limitations that affect safety and security, staff burnout increases the danger to youth and staff.

b. Staff Training

The adequacy of the training remains a concern however. DJS uses JIREH, a Colorado-based company, to provide crisis prevention and management training to its staff. The Children's Cabinet must approve all contractors providing crisis intervention training for private residential program staff. JIREH's application has twice been denied by the approval team on substantive grounds, in part because the training focuses too much on restraint techniques and too little on de-escalation of crises to avoid physical restraint.

The Children's Cabinet approval requirements do not apply to DJS-operated facilities, only its licensed programs. However, given that no privately-operated residential program in the State is authorized to use this vendor, DJS should examine whether JIREH's approach is consistent with current State philosophy on crisis intervention with youth.

The JIREH curriculum is reportedly lacking in comprehensive and practical training in de-escalation. Staff also complain that the training is inadequate in that it requires a person to be able to physically dominate an aggressive youth, and that there is a need for training in additional techniques to protect staff and youth from injury while also enabling smaller staff to effectively control aggressive youth behavior. Two-person handcuffing and the use of leg irons is now being taught, but one-person handcuffing, which is sometimes needed, is not taught. DJS did permit JIREH to add two flanking procedures to the training protocol.

Applicable Standards

Maryland Standards for Juvenile Detention Facilities 5.1.5.5. *(S)taffing levels (should) ensure the proper supervision and safety of residents.*

3. Safety/Security

a. Aggregate Incidents

Incident Categories	3 rd Quarter 2008	1 st Quarter 2009	2 nd Quarter 2009	3 rd Quarter 2009	1 st Quarter 2010
1. Youth on Youth Assault	8	16	15	12	9
2. Youth on Youth Assault with Injury	2	4	10	10	6
3. Alleged Youth on Staff Assault	2	3	5	4	5
4. Alleged Youth on Staff Assault with Injury	2	2	1	2	1
5. Restraints	29	51	37	43	25
6. Restraints with Injury	6	13	12	12	9
7. Allegations of Physical Child Abuse	1	2	0	2	1
8. Seclusions	6	19	10	14	3
9. Law Enforcement Response to Incidents	1	0	0	0	0
10. Suicide Attempts, Ideation, Gestures, Behavior	8	1	7	8	3

Source: DJS Incident Reporting Database

According to the DJS Incident Database, there have been fewer incidents during this quarter in most categories than reported in the quarters previously noted above. This is encouraging especially as the facility was overcrowded in March. Youth report that they feel safe at WMCC. Incentives provided for the youth and the overall positive culture in the facility contribute to maintaining the sense of safety and security.

One concern is the number of youth who are injured during the course of a restraint. In the Quarters reported above 28% of the restraints resulted in youth injury. This statistic may reflect the inadequacy of the training instrument provided by JIREH.

b. Security Equipment and Practices

The fencing concern at WMCC has not been addressed and will likely not be addressed in the foreseeable future because of budget constraints.

In March the facility control computer crashed. Staff moved youth about using keys. Technicians brought the computer back on line within a day, but the intercom was down for several days.

c. Behavior Management Plan

All of the youth interviewed by this Monitor during this Quarter indicated that they were satisfied with their treatment at WMCC. Youth interviewed seem to be motivated positively by the system of rewards, and feel that they are safe. WMCC uses a multi-level behavioral management program. Each level is color coded, and youths wear a wristband signifying the level they have achieved. The staff members conduct behavior evaluation meetings each evening, and youth may ascend or descend the level system depending on that day's progress or regression. In this way, feedback and rewards/consequences are timely and therefore more meaningful.

Applicable Standards

Maryland Standards for Juvenile Detention Facilities 5.1.2.2. *Safety and security refers to the provision of staff and resident safety and to the prevention of escape from the facility. Security shall also include measures to prevent persons from entering the facility or ground illegally. Means to ensure security shall consist of physical features of the building and grounds, policy and procedures and staffing arrangements.*

Maryland Standards for Juvenile Detention Facilities 6.2.4. *(Building design) shall not present an expectation of abusive behavior and vandalism and invite challenge by residents, nor shall it be assumed that every youth behaves in a violent and destructive manner. Security and safety of residents dictate construction materials designed to prevent injury or suicidal conduct.*

4. Physical Plant and Basic Services

a. Fire Safety

WMCC holds fire drills as required. The Fire Marshal conducted an inspection on March 2, 2010.

b. Physical Plant

The problem with the door locks and false door lock readings on the master control panel has been resolved.

Observation by this Monitor of the sleeping rooms revealed that the paint in the sleeping room floors is badly chipped and requires repainting.

c. Basic Services

A Washington County Health Inspector conducted an inspection of WMCC on December 12th, 2009.

WMCC staff report that the facility has sufficient clothing for extra youth as needed for seasonal wear.

Applicable Standards

Maryland Standards for Juvenile Detention Facilities 5.1.1. *The facility shall recognize and balance the legitimate need for safety of youth and staff and provide an environment that ensures a reasonable quality of living conditions.*

COMAR 01.04.04.12.A.3 *The licensee shall use a physical plant that is constructed and equipped in a manner consistent with the needs of the children and the goals of the program.*

5. Education

a. General

Teachers are following the Youth Centers' self-paced model whereby youth are working more independently at their own level and in their own curriculum. Teachers are present to assist youth individually and generally are not holding regular classes for the group as a whole. The challenge that teachers report is in getting new youth who are not accustomed to working individually to begin to do so. The DJS Education Department continues to monitor the process as they have expressed some concern that newer or unmotivated youth are not receiving the assistance needed.

On a very positive note, incidents in school have declined markedly.

b. School Records

Educational staff report that youths' school records are requested within 24 hours and are typically received within 5 days of the request.

c. Special Education

WMCC has two special education teachers who assist the 30% to 50% of the youth at WMCC who require some level of special education. WMCC educators use

the Child Find system to determine if newly admitted youth need supportive educational services.

d. Education Plan

All youths have what is now called an Individualized Instructional Education Plan, (IIEP), and special education youth have an Individualized Education Plan (IEP). WMCC invites parents to attend the IEP meetings as required, but parents from outside of Region III rarely are able to attend.

e. Classes

The facility has adequate classroom space unless the population is over capacity. At times, when over capacity, teachers have had to try to teach on the pods which are not designed for educational purposes. Teaching on the pods is much less than ideal because the acoustics in the housing units is very poor. Also youth are also generally less attentive when classes are not held in the regular classroom. Often classroom instruction on the pods consists of watching a movie that has educational relevance.

Youth attend 6 hours of instruction per school day when school is in session.

f. General Educational Development Program (GED), College Courses.

WMCC offers a GED program, however, youth who have completed high school or the GED complain that the WMCC school does not offer them significant higher educational learning experiences.

g. Vocational Education

WMCC does not offer vocational education. WMCC does offer a career preparation component to education whereby youth research different career paths, practice writing a resume, cover letter, and practice filling out job applications.

Applicable Standard

Maryland Standards for Juvenile Detention Facilities 4.1. *The Department shall ensure that educational services provided within detention facilities are consistent with State and Federal requirements and meet the individual needs of the youth. Educational services shall be provided on an individual or small group basis. Personnel shall be deployed on the basis of identified instructional needs. A comprehensive educational program that addresses individual learning styles and special education needs shall be provided to every youth admitted to a detention facility. A continuum of comprehensive, quality educational programs and services shall be multifaceted and with a continuous integrated multi-disciplinary process for educating all youth that reflects diversity and commonality. The educational program shall adhere to all applicable educational regulations as established by the Maryland State Department of*

Education and the Code of Maryland Regulations (COMAR), 13A, Code of Maryland Annotated, Article 49D, United States Code, Title 20 – Education, IDEA, as well as federal guidelines.

6. Rehabilitative and Recreational Programming

a. Therapeutic Program

Multidisciplinary staff members at WMCC develop a Treatment Service Plan for all residents. Additionally the Team meets regularly to review progress and needs and update the Treatment Plan. The Team meets on Thursdays of each week and consists of the Case Manager, Social Worker, a Teacher, a Nurse and when available a representative of the direct care staff. This Monitor observed one such meeting in January, and the session appeared to be productive for the youth.

The Confinement Review Unit, along with Residential Case Managers, and DJS Area III Community Services personnel meet every Tuesday to review each youth's status and develop transition and post-detention placement plans.

The Substance Abuse Counselor holds one group a week when she is available. Each pod has a group every third week. The Social Worker also holds three to five informal groups per week and meets individually with youth needing that service. When the Substance Abuse Counselor or the Social Worker is not available, there is no other staff member to provide this programming.

b. Recreation Programming

Now that the weather is warmer, WMCC staff have taken groups of youth outside for recreation on a more regular basis.

WMCC celebrated the holidays with a special program for families and youth. Youth received appropriate gifts and the cooks provided seasonal foods and treats.

Overall, programming activities are still lacking at WMCC. There is considerable down time when youth have nothing to do other than watch TV, play cards, or sleep. This is especially true on weekends. Volunteers who might bring special programming activities to the facility are very hard to recruit, especially because they must go through a background check, which takes an excessive length of time.

WMCC permits parents/guardians to visit youth in the facility on Wednesday evenings and on weekends. At times, the facility is using its video capability for family conferencing.

Applicable Standard

Maryland Standards for Juvenile Detention Facilities 4.5.1.2. *The recreational program shall provide a variety of planned structured large muscle and leisure activities. These activities shall include, but need not be limited to the following: organized sports and games that require large muscle activity and permit equal opportunity for participation, supervised small group leisure activities, creative activities, quiet individual leisure activities, activities adapted for physically and developmentally challenged residents.*

7. Medical and Behavioral Health

a. Basic Medical Health

Subsequent to intake and initial screening, staff members administer additional assessment tools for mental health and addictions. Staff members complete this within two hours of admittance. The Behavioral Health Clinician is notified if the mental health assessment score is high. The youth is then placed on 1 to 1 watch until he is cleared to be taken off this intensive supervision. Physical exams are completed within 72 hours of admission, and sick calls are responded to appropriately and in a timely manner. When an incident occurs the nurse on duty sees the youth within 1-2 hours.

b. Mental Health Services

WMCC uses the services of a psychiatrist who sees most of the youth. The WMCC Social Worker meets with youth needing his services as often as feasible.

8. Youth Advocacy, Internal Monitoring and Investigation

a. Youth Advocacy

This Monitor has observed that youth have appropriate access to grievance forms. Child Advocates visit frequently - generally twice per week.

b. Community Advisory Board

The WMCC Advisory Board meets quarterly and is actively engaged in discussing issues of concern. DJS Administrators extend an open invitation to Advisory Board members to visit their facility, meet with youth and staff, and report on observations.

c. JJUM Monitoring

DJS standards require that Monitors be provided the "broadest possible access...to staff and youth." However, DJS policy continues to be to escort the monitor

during visits to the facility, hampering the Monitor as staff, and especially youth, are less likely to speak openly when higher level staff are nearby.

Applicable Standard

DJS Detention Standard 7.3.2 Access to information: *The Department shall ensure that internal and independent monitors and auditors are afforded the broadest possible access, relevant to their particular function and consistent with notions of privacy, to all appropriate information, records, data, and to staff and youth of the facility that is being monitored.*

RECOMMENDATIONS

1. DJS should fill all staff position vacancies:
 - Resident Advisor
 - Resident Advisor Supervisor
 - Part time Nurse
 - Building Service Worker
2. Sleeping room floors should be painted.

UNABATED CONDITIONS

WMCC provides only one staff member each for the two 6 bed pods, even when overpopulated. DJS replies that a 1:6 or a 1:8 ratio is industry standard. Staff report, and this Monitor agrees, that having only one person on the locked pod, especially when 8 youth are present, presents a risk to safety and security, especially as two youth have no individual sleeping rooms and must be maintained together in the day room.

1. Staffing

- a. Recruiting, hiring and training should continue at WMCC so that all vacancies are filled.
- b. Double staffing should be maintained on all units, with three staff on pod C when the population is over 12.
- c. The second Addictions Counselor should be filled in order to provide the necessary addictions and assessment services.
- d. The second Social Worker position should be filled to help provide treatment programming.
- e. The Recreation Specialist position should be reinstated and filled.

- f. Training in crisis intervention should be upgraded.

2. Safety/Security

- a. The outside recreation area should receive additional fencing to provide security so that youth can receive regular outdoor recreation.
- b. Vitreous china fixtures should be replaced with a substance that cannot be broken or used by youth to harm self or others.
- c. The pods should have acoustic material installed to dampen the excessive noise created by the removal of carpeting.

3. Education

- a. A post GED program should be offered.
- b. School should remain open during the high youth anxiety time of the holidays when additional staffing and programming is needed.

4. Rehabilitative and Recreational Programming

- a. Additional programming should be provided especially during evenings and weekends.

5. Youth Advocacy, Internal Monitoring and Investigations

- a. DJS should cease the policy of hampering the work of the JJMU Monitors by escorting Monitors on their visits to DJS facilities.



MARLANA R. VALDEZ
Director

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

FACILITY REPORT
WILLIAM DONALD SCHAEFER HOUSE
JANUARY – MARCH, 2010

Facility: William Donald Schaefer House
907 Druid Park Lake Drive
Baltimore, MD 21217

Administrator: Martin Callum

Date(s) of Visit: January 5, January 28, February 1, and March 26

Reported by: Tanya Suggs
Monitor

Persons Interviewed: Administrators, Residential Advisors, Teachers, and Youth

Date of Report: May 2009

INTRODUCTION

William Donald Schaeffer House (WDSH) is a 20 bed, 90-day substance abuse treatment program for committed boys, ages 14-17 years old. The home is located near Druid Hill Park in northwest Baltimore City, Maryland.

SUMMARY OF CRITICAL FINDINGS

- The home's population is significantly under capacity because staff members have been temporarily transferred to other facilities.
- The physical plant is one of DJS' most valuable resources and should be fully utilized.
- Some incidents were not reported as required.
- The program needs a health/environmental inspection.
- Some Treatment Service Plans are missing or incomplete.

FINDINGS

1. Population

a. General

Facility Capacity	High Population	Low Population	Average Daily Population	Average Monthly Population	Number of Days Over Capacity
20	6	1	4	January- 4 February- 2 March- 6	0

The temporary maximum capacity for WDSH is six. In November 2009, the home was required to downsize from twenty to six youth due to the transfer of five staffers to the Baltimore City Juvenile Justice Center. The population has remained significantly lower than six throughout the quarter.

Program administrators said they are uncertain as to whether the program will return to its maximum capacity of twenty in the future. Future growth of the program will depend in part on whether staffers return to WDSH and whether DJS decides to operate a different type of program in the facility.

William Donald Schaeffer House provides one of the finest physical environments in the State for youth treatment. The House was fully renovated in 2007, provides a comfortable home-like environment, and is situated across the street from a lake with numerous walking paths. This valuable physical resource should be used to its maximum potential to benefit youth in DJS custody.

Some photos of William Donald Schaeffer House are included below:





2. Staffing

WDSH continues to face staffing challenges. Staff has had to work overtime and staff are borrowed from the DJS Day and Evening Reporting Center in order to maintain appropriate youth: staff ratios and assist with youth outings.

A clinical supervisor resigned this quarter. Currently, there are one clinical supervisor and two resident advisor vacancies. Administrators are uncertain as to when new staff will be hired due to the State's budget crisis. The home is depending on the return of five staffers who were transferred to the Baltimore City Juvenile Justice Center.

WDSH has one psychiatrist and one psychologist who visit the home once per week. Administrators informed the Monitor that the psychologist has been providing services for the youth at the Cheltenham facility since the recent murder there; therefore, he has been visiting WDSH every other Thursday instead of every Thursday. At this point, it is uncertain as to when the psychologist will return to visiting WDSH on a weekly basis.

3. Safety and Security

a. Aggregate Incidents

WDSH has a very low rate of incidents. According to the DJS Incident Reporting Database, there were only three incidents in the fourth quarter of 2009 (one suicide ideation/gesture; one destruction of property; and one incident requiring law enforcement on grounds). There were no serious incidents occurring in the home this quarter. This is a significant improvement from last quarter.

b. Incident and Child Abuse Reporting and Investigation

Incident reports were not completed for several incidents listed in the youth movement logbook. There was only one youth on youth assault this quarter but it was not reported as required by DJS policy.

DJS policy requires that that facilities report on both critical and reportable incidents so incident data and patterns, the reason that incidents are occurring, frequent areas of incident occurrences, and progress in reducing incidents can be tracked.

Applicable Standard

Department of Juvenile Services Policy 03-07-4a (4)- Incident Reporting *The DJS Incident Reporting Form (Appendix1) shall be used to report all incidents (critical and reportable) related to public safety and the proper care, health, safety, and humane treatment of DJS youth.*

4. Physical Plant and Basic Services

a. Fire Safety

The last fire safety inspection was completed on August 18, 2009. The fire permit was approved and issued on August 31. No findings were noted.

The last fire alarm inspection was completed on May 15, 2009. No major findings noted.

b. Physical Plant

The facility is consistently clean and well maintained. The basement area of the home is untidy and consists of old and worn weight lifting benches and weight lifting equipment. Staff reported that the youth use this equipment on occasion.

New appliances were installed in the kitchen in the summer 2009, including a top of the line stove, hot table, and ice machine. Even with these new appliances, the kitchen remains inoperable and has been for over six years - budgetary constraints have prevented the facility from hiring the Cook needed to reopen the kitchen.

c. Basic Services

Annual health/environmental health inspections are conducted by the Baltimore City Department of Health to ensure that the facility is in compliance in the areas of food handling, exterior of the premises, private water supply/sewage disposal system, maintenance and safety.

The administrator reported that the home does not need annual health inspections because the kitchen is not in use. However, the Baltimore City Department of Health said that an annual inspection must be completed if food is stored in the kitchen area and consumed by the youth. Youth do consume food that is stored in the kitchen.

DJS standards require that daily and weekly kitchen inspections be completed; therefore, the facility should ensure that daily and weekly inspections are completed by administrative or dietary health.

WDSH receives cooked meals from the Baltimore City Juvenile Justice Center. A Cook would allow the facility to resume cooking on the premises, as well as create an opportunity to enhance programming for youth by teaching career and life-skills through culinary arts.

The Department of Juvenile Services budgeted funds for expensive new industrial equipment for the kitchen but did not budget for an employee to operate the kitchen. A staffer reported that a Cook has been requested on an ongoing basis.

Shipping food daily from BCJJC is labor-intensive and has been impractical, especially during inclement weather. Staff and youth reported that during the December 2009 snowstorm, BCJJC was only able to transport food to the facility one time. The youth had to eat ham and cheese sandwiches, left over snacks that are kept in the pantry, and hotdogs for several days until the storm subsided. As stated in previous reports, youth are not provided with a variety of snacks - the youth and staff report that chips, cereal, and sandwiches are common and there is never enough food left over for the youth to have seconds.

The home has not had a janitor for years due to budgetary constraints. The youth are responsible for performing janitorial duties by what is referred to as "detailing." The youth are responsible for cleaning all areas of the home, including cleaning staffers' offices and staff bathrooms. The home would benefit from purchasing janitorial services and pest control services.

DJS standards require that staff is required to participate in cleaning duties. However, staff members do not participate in maintaining the cleanliness of WDSH. The Administrator said it was not in their job description.

Although WDSH does a great job of disciplining the youth and teaching the youth to accept responsibility and maintain cleanliness, some youth have reported that they feel uncomfortable performing the additional tasks that should be completed by housekeeping staff. The receive neither receive stipends nor academic credit for completing additional chores.

Applicable Standards

Maryland Standards for Juvenile Detention Facilities 5.5.7.1- Inspections

The standard criteria for inspections should be in accordance with COMAR 10.15.03. Weekly inspections of all food areas, including dining and food preparation areas and equipment shall be made. Daily checks of refrigerators and water temperatures shall be made by administrative health personnel and/or dietary personnel.

Maryland Standards for Juvenile Detention Facilities 5.6.4.2- Housekeeping

There shall be a written housekeeping plan for the facility's physical plant. This shall include a cleaning schedule with personnel assigned specific duties.

5. Education

a. Classes

The educational program at WDSH is licensed by the Maryland State Department of Education. One year ago, two teachers from WDSH were sent to assist at other facilities. They have not been replaced. Currently the youth receive schooling on the second floor of the Day and Evening Reporting Center due to the teacher shortage at WDSH. There is one teacher's assistant.

Education consists of group lecture and class discussion as well as completion of individual packets of materials.

Based on observation, the youth were cooperative. They participated in class work and lecture.

b. General Educational Development Program (GED), College Courses,

WDSH maintains a 100% pass rate for youth who take the GED exam.

c. Vocational Education

The home does not have a vocational program. There are no current plans to implement vocational education. Although long-term vocational programs might not be required in long term facilities, youth who are working on obtaining their GED and youth who have already obtained their GED or high school diploma should be enrolled in programs that provide assistance with career and job preparation (resumes, cover letters, job interviews, interview dress code, etc) and career and job training.

6. Rehabilitative and Recreational Programming

a. Therapeutic Program

DJS adopted the "Seven Challenges" treatment model and curriculum for all residential substance abuse programs operated by the State. WDSH staff was trained in the treatment model at the end of March 2009 and the program was implemented on April 1, 2009. Youth participation has been positive and the difference in behavior has been observed by staff and parents in group meetings and, later, in the home. A particularly successful component of the model is the weekly group journaling sessions held on Mondays and Fridays. Staff and youth said journaling has aided youth in becoming more "open and honest" in coping with and expressing the issues they are working to combat.

Early studies have shown "Seven Challenges" to significantly reduce continuing substance abuse by youth, particularly those with co-occurring mental health diagnoses.

Youth reported that they find the Seven Challenges more useful than the twelve-step program because it appears that the model is customized for youth and "kid friendly;" whereas the twelve-step program is more complicated and created for adults.

In 2009, the WDSH staff was trained in Positive Peer Culture (PPC) and has implemented the PPC model. The concept of the PPC treatment model is for youth to resolve conflict by being accountable for their peers' behavior while developing a higher self-esteem and accepting responsibility for their own actions.

b. Treatment Service Plan

A Treatment Service Plan is a clinical plan that provides detailed information on a youth's treatment needs, challenges, and progress in the program, and the continued services that he will need during aftercare in a variety of areas such as mental health, education, family relationships, and substance abuse. The completion and updating of TSPs are necessary to ensure that youth receive appropriate services in a timely fashion. DJS policy requires that each youth admitted to a treatment program have a TSP.

The Monitor reviewed the Treatment Service Plans of six youth who were discharged in November when the home was required to downsize to six youth (Initiation dates vary; the revision dates are listed as 10/09.) No TSP's were completed for any of these youth. If there was a plan for any of the youth, the plan was incomplete with the last documented note having been related to a service from 2007-2008 or June of 2009³⁵. TSP's were neither initially completed nor updated as required.

c. Recreational Programming

Youth have not participated in a variety of activities this quarter; one reason is due to understaffing. This quarter the youth attended the movies and the Holocaust Museum.

Youth feedback was positive. The outings are always fun and educational; however, they have also reported that there has been much down time lately. Youth would benefit from a wider variety of athletic activities. Basketball availability is limited because the youth share the small space with the youth from the Day and Evening reporting Center. Each group must alternate the use of the basketball court.

d. Sexual Education

Youth attend Creating Responsibility for Adolescent Sexual Health (C.R.A.S.H) a sexual education class taught by Johns Hopkins University students. The class is conducted every semester, once per week for one hour each session, for 6 weeks.

Applicable Standard

Department of Juvenile Services Policy CJ-1-03-3C- Aftercare

The expected results of this policy ensures that all youth on aftercare supervision have an updated Treatment Service Plan (TSP) that includes a detailed account of treatment in the placement facility and an outline of services and activities that the youth and family may need for transition to the community.

³⁵ Information from the Addiction Counselor's discharge summary was not transferred to the TSP. The Facility Case Manager should have transferred youth discharge summary notes to the Community Probation Officer and Aftercare Case Manager. There is no indication that this process was completed as required.

7. Medical and Behavioral Health

Medical issues were not reviewed this quarter.

8. Youth Advocacy, Internal Monitoring and Investigation

a. Youth Advocacy

There were no youth grievances filed this quarter. Youth appear to be able to resolve conflict with the assistance of staff, counseling, and peer sessions.

The majority of youth who were interviewed throughout the quarter were not familiar with the child advocate. One youth who was familiar with the advocate stated that he is uncomfortable discussing complaints about the program with the child advocate because many of the discussions are held in the presence of staff.

RECOMMENDATIONS

1. The home should either schedule a health inspection with the Baltimore City Department of Health or obtain a written exemption.
2. The home should apply to have daily and weekly inspections completed by a dietary health administrator.
3. Staff should clean the basement area of the home.
4. The home should devise an inclement weather emergency Facility Operating Procedure between BCJJC and WDSH on how and when sufficient food will be transported to the facility.
5. The Department should hire a part time janitor for the home and/or staffers should be assigned specific house cleaning duties.
6. The home should enroll youth in a certified vocational program or provide basic in home life skills training.
7. The facility case manager should complete and update Treatment Service Plans as required.
8. The child advocate should hold one-on-one discussions with youth in privacy.

UNABATED CONDITIONS

1. The Department should fill current vacancies so that Schaefer House can return to its previous population and programming.
2. The home should report both “critical” and “reportable” incidents.
3. The Department should hire a cook so that the kitchen can be reopened.

DOUGLAS F. GANSLER
Attorney General



KATHERINE
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*Chief Deputy Attorney
General*

JOHN B. HOWARD,
JR.
Deputy Attorney General

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

FACILITIES REPORT
DEPARTMENT OF JUVENILE SERVICES YOUTH CENTERS
JANUARY, MARCH 2010

DJS Youth Centers Headquarters 1 James Day Drive
Cumberland, Maryland 21502
Bob McElvie, Regional Director
Ed King, Deputy Regional Director

Facilities

Green Ridge YC
10700 15 Mile Creek Road NE,
Flintstone, MD 21530
Judy Hodel, Supervisor
Visits: January 31, February 23,
March 19, 2010

Savage Mountain YC
164 Freedom Lane
Lonaconing, MD 21539
Steve Northcraft, Supervisor
Visits: January 29, February 18
March 28, 2010

Meadow Mountain YC
234 Recovery Rd,
Grantsville, MD 21536
Bill Pickerel, Supervisor
Visits: January 12, February 19,
March 23, 2010

Backbone Mountain YC
24 Camp 4 Road
Swanton, MD 21562
Dick Gero, Supervisor
Visits: January 15, February 2,
March 26, 2010

Reported by: Tim Snyder, Juvenile Justice Monitor

Persons Interviewed: Various staff including: Regional Director, Deputy Regional
Director, Center Supervisors, Case Managers, Residential
Advisors, Support Staff, and Youth

Date of Report: May, 2010

INTRODUCTION

The DJS Youth Centers provide commitment care services in four separate facilities:

Green Ridge, located in Allegany County near Flintstone, provides 40 beds and serves Western Maryland male youth in three separate programs – Mountain Quest, a 90-day intensive adventure based treatment impact program; Revelations, a substance abuse program lasting a minimum of 120 days, and a therapeutic program averaging six to eight months.

Savage Mountain, located in Garrett County near Lonaconing, was reduced a year ago, in May 2009 from 36 to 12 beds. In September 2009 Center capacity was increased gradually to 24 and at the end of March 2010, a 3rd group was started in order to quickly reach full capacity of 36 youth. Savage Mountain Youth Center primarily serves youth from non-Western Maryland counties.

Backbone Mountain provides 48 beds. Thirty-two to thirty eight beds are dedicated to the six to eight month treatment program, and ten to sixteen beds are dedicated to youth in the college program. Backbone Mountain serves male youth residing primarily in non-Western Maryland counties.

Meadow Mountain provides 40 treatment program beds and specializes in treatment of addictions in a six to nine month program. Meadow Mountain serves male youth residing primarily in non-Western Maryland counties.

FINDINGS

1. Population

a. General

The combined population capacity of the Youth Centers is 164 youth. During the first quarter of 2010 the Centers report that overall the population has stabilized. The inappropriate placement of youth is a major concern in Maryland, at the Youth Centers as elsewhere. This issue affects the safety and security of youth, staff members, and the community.

The DJS Youth Centers are not hardware security facilities – they do not have security fences or other special security equipment. DJS describes the Centers as “staff secure” facilities, meaning that security is dependent on providing adequate staffing to ensure safety and security and to prevent youth from leaving the facility without

permission. Many of the youth referred to the Youth Centers come directly from secure detention, and many are chronic and serious offenders.

There are also several youth at each facility who function at a very low intellectual level. Most of the youth now placed in the Centers also require one-on-one mental health services.

Staff interviewed at the Centers said that at times when one program at the Youth Centers is filled, the referring Community Case Manager will request that another program with an open bed be used. If a youth is referred for Mountain Quest, a 90 day program, for example, but that program is filled, the request becomes for the 6-9 month program or perhaps the Meadow Mountain Addictions program. Finding any placement, and reducing the number of youth in pending placement status in the detention centers, sometimes overwhelms the need to find the appropriate placement to meet a youth's specialized needs.

b. Population by Race/Ethnicity

Green Ridge Youth Center – 6-9 Month Program and Mt. Quest combined	1 st Quarter 2009	3 rd Quarter 2009	1 st Quarter 2010
Total Quarterly Population	65	64	61
White	(15)-23%	(16)-25%	(22)-36%
African American	(39)-60%	(36)-56%	(26)-43%
Latino	(10)-15%	(12)-19%	(13)-21%
Other	(1)-02%	(0)-0%	(0)-0%

Savage Mountain Youth Center	1 st Quarter 2009	3 rd Quarter 2009	1st Quarter 2010
Total Quarterly Population	59	25	35
White	(9)-15%	(3)-12%	(5)-14%
African American	(50)-85%	(21)-84%	(27)-77%
Latino	(0)-0%	(1)-04%	(3)-9%
Other			(0)-0%

Meadow Mountain Youth Center	1 st Quarter 2009	3 rd Quarter 2009	1st Quarter 2010
Total Quarterly Population	57	63	57
White	(22)-38%	(19)-30%	(11)-19%
African American	(34)-60%	(42)-66%	(45)-79%
Latino	(1)-02%	(2)-03%	(1)-2%
Other			(0)-0%

Backbone Mountain Youth Center	1 st Quarter 2009	3 rd Quarter 2009	1st Quarter 2010
Average Daily Population	73	74	74
White	(18)-25%	(12)-16%	(13)-18%
African American	(52)-71%	(60)-81%	(59)-80%

Latino	(3)-04%	(2)-03%	(1)-1%
Other	(0)-0%	(0)-0%	(1)-1%

Source: Dept. of Juvenile Services ASSIST Database

Minority representation in the Youth Centers' population has increased slightly over the past year. In the 1st Quarter, 2009, minority youth represented 75% of the total population. In the 1st Quarter, 2010, minority youth represented 78% of the total population.

Applicable Standards

Md. DJS Youth Centers Procedure Manual, DJS Youth Centers Guidelines for Admission.

The nature of the program and the fact that it is staff secure requires that youth be capable of a certain level of reasoning, decision making, and emotional maturity. It is also vital that students who are accepted will not present a threat to the other students or to the staff.

Md. DJS Youth Centers Procedure Manual, DJS Youth Centers Guidelines for Admission. *Other issues, which generally should be considered impediments for admission, are severe aggression and/or explosive personality disorder, since staff and student protection are of paramount importance. Students with histories of assaultive/violent behavior who pose a threat to the safety of students and staff or who have a history of absconding from other programs are generally not appropriate.*

2. Staffing

a. General

For the past several years this Monitor and the former Regional Director have been advocating that the Youth Centers need to be better staffed to maintain safety, security, programming, and individualized intervention as needed. This is especially true because the troubled youth being admitted often need much more individualized intervention and attention than previous populations. Vacations, sick leave, and the increased annual training requirements pull staff away from the Centers.

The Department of Juvenile Services Combined Facilities Reports for March and September of 2009 show the number of positions needed by each Youth Center and the number of vacancies.

A new Combined Facilities Report issued in March, 2010 revised downward the number of positions needed at each Youth Center without explanation for the reductions. For example, in March, 2009 DJS reported that Green Ridge needed 51 total positions; in March, 2010, the same report indicated that the program only needed 43 positions, a 19% decrease.

The reduction in positions required at each Youth Center artificially reduces the vacancy rate as well. For example, at Green Ridge, in March 2009, 43 of 51 positions were filled, a 16% vacancy rate. In March 2010, with the same number of filled positions (43) and the same youth population, all positions are filled, and the vacancy rate is 0%.

Green Ridge	March 2009	September 2009	March 2010		Savage Mountain	March 2009	September 2009	March 2010
Total Positions	51	51	43		Total Positions	51	51	46
Positions Filled - Staff Available for Duty	43	41	42		Positions Filled - Staff Available for Duty	43	43	41
Vacancies	7	8	0		Vacancies	8	8	0
Staff Out - Extended Sick Leave	1	2	1		Staff Out - Extended Sick Leave	0	0	5

Meadow Mountain	March 2009	September 2009	March 2010		Backbone Mountain	March 2009	September 2009	March 2010
Total Positions	52	52	47 (49)		Total Positions	63	63	52
Positions Filled - Staff Available for Duty	47	46	42		Positions Filled - Staff Available for Duty	54	52	49
Vacancies - Frozen Positions -	4	5	2 (2)		Vacancies	9	11	2
Staff Out	1	2	3		Staff Out - Extended Sick Leave (1 death)	1 (death)	0	1

Source: DJS Region III Combined Facilities Reports for September 2009. Report from Youth Center Headquarters April 2010

Youth Center overtime hours/expense are reported as follows: January 2010 – 464.1 hours (\$11,660.70), February 2010 – 437.1 hours (\$12,740.50), March 2010 – 1105.8 hours (\$22419.10) The increase in March is reportedly due primarily to Youth Center staff members helping with a special assignment youth at WMCC.

b. Staff Training

DJS has been providing Entry Level Training (ELT) on a more frequent basis and this has helped the Centers bring new direct care recruits into the coverage schedules more quickly. Training requirements for direct care staff continue to increase. Two years ago, after new staff received the initial 6 weeks of training they received 40 hours of refresher training on an annual basis. Now, annual training amounts to 70 hours which includes additional Rape Training in Positive Peer Culture, more training in crisis intervention and Prison Rape Elimination Act training.

The enhanced training is a great addition but has stressed both the Centers and the training staff to keep up while also providing adequate youth coverage. In order to maintain coverage, training classes are typically smaller, thus requiring that more classes be held during the year. At least one additional trainer is needed to help handle the increased work load.

DJS continues to use JIREH Training and Consulting, a New Mexico company, to train staff in crisis prevention and intervention though it is against COMAR regulations for privately operated facilities to use JIREH in Maryland. JIREH has not satisfied the reviewing committee at the Governor’s Office for Children that its training is congruent with Maryland standards for crisis intervention training. Under Maryland COMAR regulations, no Department of Juvenile Services licensee program may train staff using JIREH; yet DJS continues to train its own staff with this vendor.

According to Youth Center staff, the JIREH curriculum lacks comprehensive and practical training in de-escalation. Youth Center staff also complain that the training is inadequate because it requires a staff person to be able to physically dominate an aggressive youth, and that there is a need for training in additional techniques to protect staff and youth from injury while also enabling smaller staff to effectively control aggressive youth behavior. Two-person handcuffing and the use of leg irons is now being taught, but one-person handcuffing, which is sometimes needed, is not taught. DJS did permit JIREH to add two flanking procedures to the training protocol.

<p>Applicable Standards</p> <p>Md. Standards for Juvenile Detention Facilities 5.1.3. <i>Staffing arrangements shall aim to provide a safe, humane, and caring environment.</i></p> <p>COMAR 14.31.06.05 F (3) <i>The training of employees who may provide direct care to children shall include: (f) approved forms of discipline and behavior management techniques including crisis management and the use of isolation and restraints.</i></p> <p>Md. Standards for Juvenile Detention Facilities 2.2.1. <i>The Department shall ensure that designated classes of departmental and vendor employees are trained according to the standards established by the Maryland Correctional Training Commission.</i></p>
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3. Safety and Security

a. Aggregate Incidents

Green Ridge (40 youth)	CY2008	CY2009	1 st Quarter 2010
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Youth on Youth Assaults	31	9	5
Restraints/Use of Force	47	21	6
Total	80	30	11

Savage Mountain (36 youth, 12 since May)	CY2008	CY2009	1st Quarter 2010
Youth on Youth Assaults	20	20	3
Restraints/Use of Force	15	24	8
Total	39	44	11³⁶

Meadow Mountain (40 youth)	CY2008	CY2009	1st Quarter 2010
Youth on Youth Assaults	19	10	5
Restraints/Use of Force	14	9	3
Total	42	19	8

Backbone Mountain (48 youth)	CY2008	2009 Jan/Sept	1st Quarter 2010
Youth on Youth Assaults	23	31	9
Restraints/Use of Force	28	59	14
Total	55	90	25

Source: Dept. of Juvenile Services Incident Reporting Database

Aggressive incidents have increased significantly at all four Youth Centers since 2005 when DJS began placing higher risk, violent offenders in the Centers. Backbone Mountain and Savage Mountain Youth Centers in particular have experienced marked increases in aggressive incidents since that time. Although the Savage Mountain numbers appear to reflect a stable or small increase in incidents this past year, it should be noted that the population at the Center was reduced by two thirds in May, 2009 and so the number of incidents, given the small population, increased appreciably.

Nevertheless, during 2009 and the first quarter, Green Ridge Youth Center significantly reduced their number of aggressive incidents compared to 2008. Meadow Mountain also significantly reduced aggressive incidents between 2008 and 2009.

b. Incident-Related Procedures, Practices, and Reporting

During this quarter, each Youth Center was issued 6 new cut-down tools which are used to rescue a youth who is attempting commit suicide by hanging. Direct care staff on each shift are required to carry a cut-down tool in its leather sheath on their belt or pocket. The tool has a large hook that is razor sharp, and a small circular end.

Staff members approached this Monitor and expressed concerns about the potential dangerousness of the cut-down tool if a youth grabbed it to use as a weapon. Their fear was that it could be pressed into flesh and used as a knife or hooked inside an ear or mouth.

³⁶ Savage Mountain has only had 12 youth since May. Incident numbers reflect decrease in populations.

The generally accepted recommendation from suicide prevention experts is that “housing units...must be suicide resistant, and officers must have cutting tools readily available to remove the ligature within seconds of discovering the youth.”³⁷ Lindsay Hayes, a nationally-recognized expert on suicide prevention and consultant to the Md. Dept. of Juvenile Services, recommends that “all housing units should contain a...rescue tool that cuts through fibrous material.”³⁸

Given that best practices do not require that the cut-down tool be worn on the body of the worker, it is possible that other practices such as locking the tools in special boxes on each unit could be adopted.

DJS Detention Standards require that staff carry cut down tools, but appropriate procedures in a detention setting may not be appropriate in a committed care setting. The Department continues to need to develop committed care standards specifically for treatment programs.

Because staff are expressing concern about the safety of the tools, further discussions with staff should take place, including whether there are workable alternatives to wearing the tool on their persons and the relative safety of various designs and brands of cut-down tools.

Applicable Standards

Md. Dept. of Juvenile Services Policy and Procedure HC-01-07 (4)(a)(4) *All direct care staff shall carry a cut-down tool.*

After lengthy discussions and negotiations, the Youth Centers are in the process of implementing what appears to be an effective key control policy and procedure. In the 1st Quarter 2009, this Monitor reported on lack of effective key control at the Youth Centers. This was a critical concern because youth had stolen the car key and car of a Savage Mountain staff member. On October 26, 2009 two youth managed to steal a car from a Meadow Mountain teacher. The resulting AWOL involved a dangerous high speed chase by State Police. The incident placed many people at risk.

The new policy and procedure involves the use of double locked boxes, one key lock and one combination lock, located in several strategic places on campus. Staff will deposit personal keys and sign out a set of work keys for their shift.

The Youth Centers do not have stationary security cameras. The importance of surveillance cameras was vividly illustrated by the U.S Department of Justice Bureau of Justice Statistics Special Report, Sexual Victimization in Juvenile Facilities Reported by Youth, 2008-09. The DJS Backbone Mountain Youth Center was named specifically as having a “high rate” of reported sexual victimization.

³⁷ National Commission on Correctional health Care, Position Statement on Prevention of Juvenile Suicide in Correctional Settings (approved, 1997).

³⁸ Lindsay Hayes, Characteristics of Juvenile Suicide in Confinement, OJJDP Juvenile Justice Bulletin, Feb. 2009.

Subsequent interviews by Child Protective Services, Maryland State Police, DJS and follow-up by this Monitor has led to the tentative finding that sexual abuse probably did not occur at the Center but may have been reflective of an alleged incident that had been investigated and cleared. Nevertheless, because of the lack of cameras, physical plant issues, and lack of appropriate policy and procedure, the reported sexual abuse allegations cannot be conclusively ruled out.

This Monitor has been in conversation with the Region III Director concerning agreed-upon changes that need to be made, including the use of stationary cameras, placing windows in office doors, the use of mirrors to help facilitate observation and policy and procedure that maintains third party protection for staff and youth.

As noted in previous reports, the Centers continue to allow female staff to supervise youth during shower time. This means that female staff are present in the dorms where male youth clad only in a towel move about between their sleeping area and the shower room. Youth undress and dress behind an opened narrow locker door. During interviews with female staff it was disclosed that they have entered the shower room when an altercation is taking place in the showers. The practice of female staff supervising youth during shower time is unacceptable. Youth throughout the system also express discomfort about being supervised during showers by female staff.

4. Physical Plant and Basic Services

a. Fire Safety

All of the Centers hold current Fire Marshal Inspection Reports. Fire drills are held as required.

b. Physical Plant

The driveways at Backbone Mountain and Savage Mountain need to be resurfaced. The shower facility at Green Ridge should be replaced, and the gym needs to be upgraded. Several roofs at Backbone Mountain are showing significant wear and need to be replaced.

Applicable Standard

COMAR 14.31.06.07.C(1). *The licensee shall maintain all structures and grounds in good condition, free from health or safety hazards.*

c. Basic Services

All of the Youth Centers have current Health Department inspections. Clothing needs have been better met overall, but numerous youth complained to this Monitor that

they were cold during the winter because of lack of thermal underwear. Youth without thermals were often outside in the cold for up to 2 hours.

Now that warmer weather has arrived the youth in the Centers can wear the shorts that came in last October, too late for the previous summer. It is crucial that clothing orders be made significantly in advance of the actual need because of the lengthy time lag in receiving orders and the Maryland Law that only permits ordering from specific approved providers, typically at increased expense for less value.

Applicable Standards

Md. Standards for Juvenile Detention Facilities 5.6.5 *The stored inventory of clothing, bedding, and linens shall exceed that required for the facility's maximum youth population. An inventory system shall be maintained to ensure the consistent availability of clothing, bedding, and linens to replace items that are lost, destroyed, or worn out.*

Md. Standards for Juvenile Detention Facilities 5.6.5.2 *Youth shall be provided the opportunity to have three complete sets of clean clothing per week.*

COMAR 14.31.06.10.D. *The licensee shall ensure that the children have an adequate supply of clean, comfortable, well-fitting clothes, and shoes for indoor and outdoor wear*

5. Education

The youth in the Centers generally report that they are helped in school. DJS states that overall youth may gain between two and four months for every month that they would expect to gain in public school. The teaching staff have been observed by this Monitor to provide engaging classroom instruction, and individual help to youth.

An unfortunate scheduling of teachers "professional days" means that school is closed around a holiday weekend. School is closed sometimes for up to 9-10 days. This is particularly problematic during the December holidays where the Centers need maximum programming and staffing to help youth deal with the anxieties, disappointments, and issues that arise with the season.

a. Special Education

At any given time about a quarter to a third of the youth in the Centers require some level of special education. Some youth are at such a low level of cognition and reading that they cannot read or understand the basic questions presented during intake. Programmatically it is difficult to meet these youths' needs, as the therapeutic model at the Youth Centers requires that youth have the ability to process and integrate

the abstract concepts of the program components. Youth with low intellectual functioning generally require so much additional staff attention that the group as a whole is affected. These youth also frequently act out.

b. Classes

The Youth Centers Educational Program provides 4 hours of classroom instruction each school day. Youth also participate in the “World of Work” experience. Three days per week youth accompany staff for 45 minutes and help with grounds work or maintenance. During the remaining two school days, they receive classroom instruction in life skills related to working. A certificate is granted to the youth for their participation in the World of Work. Youth also receive a health credit for their participation in drug class and the 7 Challenges program, and they earn a Physical Education credit.

Youth not returning to school enter the GED or Pre-GED program, but are not prepared to enter the workforce. Vocational instruction varies from Center to Center, but generally offers little in the way of training for work.

The Honors Academy at Backbone Mountain is a Learning Partnership between Garrett County Community College and DJS. In addition to regular treatment programming, the youth participate in some college preparation courses. The Honor Academy seeks to enroll as many youth as qualify, which has ranged from 10 to 16 entering the program at a time.

All of the Youth Centers participated in Black History Month as youth prepared talks and posters. On March 11 selected youth from each Center competed at Frostburg State University in Black History Challenge, an activity that is co-sponsored by the Black Student Alliance. The youth had prepared by learning many facts related to Black history. Each panel was asked questions prepared by the Youth Centers Educational Department and the panel with the most correct answers was declared the winner. Green Ridge youth claimed that honor this year.

6. Rehabilitative and Recreational Programming

a. Therapeutic Program

The Youth Centers describe the program as offering Positive Peer Culture, (PPC), EQUIP, and Seven Challenges. The Seven Challenges approach to treatment does not assume that youth will commit to abstinence from drugs or alcohol. Instead it encourages honest dialogue with youth about their relationship with drugs and alcohol, and the need to take responsibility for their decisions. In addition, as noted above, most youth meet individually with a mental health therapist at least one time a week. The increased number of youth in the Centers requiring individual treatment sessions is an indication of the severity of emotional or mental disturbance of youth entering the Centers.

The group sizes at Savage Mountain and at Backbone Mountain are too large to effectively implement the Positive Peer Process Model. There may be some correlation between the group size at these Centers and the increased incidents of aggressive behavior. Green Ridge and Meadow Mountain Youth Centers have groups of 10 youth. Groups should be limited ideally to 8 and no more than 10 youth. Keeping groups small is a significant factor in ensuring safety of youth and in facilitating successfulness of the treatment modality.

The Youth Center's intervention is characterized by youth focusing on behavioral compliance in order to go home rather than addressing internal dynamics and significant treatment that could lead to fundamental change in the underlying issues that fuel their behaviors. The treatment staff members report that they have difficulty addressing the very significant issues of unhealed trauma, abandonment, broken trust, dysfunctional attitudes and beliefs about self and others. The short length of stay also contributes to this as most youth complete the program in less than nine months, some in as little as four or five.

It must be noted that there are exceptions to the above. Some youth benefit significantly from their stay at the Centers and go on to be successful after discharge. It also should be noted that most staff do their absolute best to reach out to youth in order to truly facilitate meaningful change. The Interdisciplinary Treatment Teams meet on a regular basis to review each youth. This process has been very useful in coordinating services, and in strengthening the team approach to providing treatment.

A concern that negatively affects youth, and has been reported regularly by this Monitor, is that many lose meaningful contact with their Community Case Managers (Probation Officers) when they are in the Youth Centers. The DJS practice of assigning one worker from a county to visit numerous youth in the Centers might meet the visitation requirement, but does not make the visit meaningful for the youth. In addition, many youth do not even receive this "courtesy visit" from a DJS Community Services worker.

It is crucial that stability and continuity be facilitated in the relational process with assigned DJS Community Case Managers. Having one Case Manager for each youth is important to maintain that stability and continuity. Staff and youth interviewed often identify this lack of communication and continuity as a major factor making placement difficult for youth, and limiting the prospects for successful re-entry into the community following residential placement.

In a sample taken from Meadow Mountain Youth Center for the month of February, 2010, only 16 youth out of 47 (34%) were seen by their Community Case Managers on site. Regulations requires monthly on site visitation. Two additional youth had video conferences.

In March the number of Community Case Manager visits to Backbone Mountain Youth Center were considerably better, but still not adequate. Out of the 67 youth who were at the facility sometime during the month, 28 were definitely seen and it is assumed that the 21 youth who entered or left were also seen for a total of 49 out of 67 (73%) receiving visits. One youth out of 4 definitely did not meet with his Community Case Manager at Backbone Mountain in March.

Applicable Standards

Md. Dept. Juvenile Services Policy and Procedure CJ-1-05. (1) *Youth who are committed to the Department of Juvenile Services (DJS) for placement... shall be assigned a Community Justice Case Management Specialist. DJS operated residential programs shall also assign a Facility Case Management Specialist. The Facility Case Management Specialist shall maintain daily contact with the youth and be responsible for the coordination of all services within the facility. In collaboration with the Community Justice Case Management Specialist and the facility Interdisciplinary Treatment Team, the Facility Case Management Specialist shall develop a Treatment Service Plan (TSP) and ensure that prescribed services are made available and delivered in accordance with the Department's Treatment Service Plan (TSP) Policy.*

(2) *The Community Justice Case Management Specialist shall: (vi) Meet at least monthly with youth who are in residential care in Maryland to assess treatment progress and plan for community reintegration.*

b. Recreational Programming

The Youth Centers provide recreational programming at least one hour daily. Therapeutic Recreation also consists of organized sports, and allows youth to participate in activities in a structured team approach. Additionally, Frostburg State University opens its facilities to the Centers for youth to go swimming and participate in experiential challenge/learning activities. During February, the youth got a lot of exercise shoveling many feet of snow. Youth also had some fun in the snow as they built snowmen and snow forts, went sledding, and at Meadow Mountain, youth built very creative and detailed snow sculptures.

The Ropes/Reflections program at Meadow Mountain has been an invaluable treatment resource in past years, but in the last two years has not been utilized due to lack of staffing, lack of programming and facility maintenance. According to the Region III Director, this is about to change. The plan is to dedicate three staff members to Ropes/Reflections. Worn equipment will be replaced and the rope course elements will be repaired, inspected and certified. The two programs are separate. Reflections is a more diversified adventure-based program that will utilize the Ropes program as part of the overall Reflections curriculum. The target date for start up is Memorial Day, 2010. The only downside is that there is no plan to fill the direct care vacancies that will be left by the staff members chosen to run the Reflections and the Ropes programs. Overall,

however, bringing this resource online should provide great therapeutic benefit for the youth in the Centers.

The Zip Line at Savage Mountain has been out of commission and is sorely missed as a treatment resource. At Green Ridge, the Center worked out an agreement with the Department of Natural Resources to utilize some adjacent land to build a low ropes course. Unfortunately the project has not been completed because of budget constraints. For the relatively low cost, there is potentially very high gain in providing this treatment experience for youth.

The Youth Centers do incorporate as much off-campus recreation, educational and treatment related activities as they can given staffing and transportation limitations. During the holidays the Centers organized tournaments including basketball, volleyball, soccer, and bowling. Because of the overly large group size, a minimum of two vehicles and three staff are required to take groups from Savage Mountain and Backbone Mountain off grounds. When groups are no more than ten, a twelve-passenger van can accommodate the group and two staff, a much better use of resources. This is another very good reason to reduce group size as recommended by the Positive Peer Culture experts. The Department should invest in a 20 passenger activity bus that does not require a special license to operate, and can be used by direct care and school staff to take youth off campus for treatment and/or educational activities.

Other off campus activity examples included outings to dinner and the movies, sightseeing trips, cave exploring, trips and traveling to Pittsburgh for a comedy show. All of the Centers created and performed skits at the Youth Center Headquarters during the holidays. Some youth helped the Red Cross with the Christmas lights at Rocky Gap State Park.

Some youth participated in community service activities such as helping unload donated food for Helping Hands, and the Frostburg Food Bank. Youth from Backbone Mountain also aided the Garrett County Community Action Energy Assistance Program by helping distribute food to needy area residents.

Youth from the Centers also annually help the Department of Natural Resources with the stocking of fish in local streams.

c. Parental Involvement

Youth make weekly contact with parents/guardians via phone and can earn a home visit as they near completion of the residential program. Each Center also holds periodic "family days" to give family members the chance to visit the Center and participate with youth in special activities. The Centers also have video capability so that conferences can be held with parents and/or Community Case Managers when onsite visitation is difficult. Green Ridge schedules more opportunities for family interaction than the other Centers.

7. Youth Advocacy, Internal Monitoring and Investigation

The Child Advocate makes regular rounds to each Center. The grievances received by this Monitor indicated that the Child Advocate addressed the issues appropriately. Some youth report, however, that the grievance process is useless and that they fear being “burnt” by staff if they write a grievance. Staff report that this concern by youth is just a reflection of their feelings when they do not get what they want as a result of a grievance. No doubt, there is some truth to what both youth and staff report. DJS assigns an Office of Investigations and Audits (OIA) Investigator to the Youth Centers, and he responds as needed.

RECOMMENDATIONS

1. Staffing

- a. Staffing levels should reflect a ratio of two staff for each position in order to maintain safety, security and programming.
- b. Frozen staff positions should be unfrozen.

2. Safety and Security

- a. In addition to video cameras previously recommended, the Youth Centers should install windows in all offices and rooms where youth and staff may be together.
- b. Policy and procedure should be developed and implemented so that staff and youth are not alone without a third party nearby and within range of observation.
- c. Female staff should not supervise male youth during shower time.
- d. The cut down tools should be locked securely in a box on each unit and in each building where youth are likely to be on campus. The key ring assigned to direct care staff should include a key to this locked box. Additionally, there should be a cut down tool located in the administration building in a secure location.

3. Physical Plant and Basic Services

New roof construction should be undertaken at Backbone Mountain before more damage takes place.

Conditions Unabated for More Than 30 Days

1. Population

Youth admitted into the Youth Centers should meet the written admissions criteria. Youth with significant juvenile crime histories and those not meeting the IQ, behavioral or mental health criteria should not be admitted.

2. Staffing

- a. All direct care staff vacancies should be filled.
- b. DJS should contract for additional Mental Health Counselors to meet youth.
- c. More appropriate and effective crisis intervention training should be provided.

3. Safety and Security

- a. Video cameras should be placed in strategic places in each building and on each Center campus.
- b. The Department should finalize Commitment Care Standards for review.

4. Physical Plant and Basic Services

- a. The driveways at Savage Mountain and Backbone Mountain should be resurfaced.
- b. The shower house at Green Ridge should be remodeled.
- c. The gym floor at Green Ridge should be upgraded.

5. Rehabilitative and Recreational Programming

- a. Community Case Managers should make site visits to see the youth in their caseload rather than having one Community Case Manager see all of the youth from their county, or doing “courtesy” visits for other Community Case Managers.
- b. Community Case Managers should follow the same youth through their entire involvement with the Department of Juvenile Services.
- c. Groups should be limited to eight youth (maximum of ten) as prescribed in

the PPC model.

6. Education

- a. Extensive vocational training, certification, and job placement should be provided to facilitate entry into the work force.
- b. Professional Days should be scheduled so that educators are on campus and participating in activities during the high stress times around the holidays.