

SECOND QUARTER, 2008 REPORT
VOLUME II

INDIVIDUAL FACILITY UPDATES

Because the 2nd Quarter report focused on systemic issues, individual facility updates are very brief. Only issues of imminent concern are reported in the facility updates, along with conditions unabated for more than 30 days as required by the Juvenile Justice Monitoring Unit's (JJMU) enabling legislation. The 3rd Quarter report will include full reports on each of the 30 facilities that JJMU monitors.

No updates are included for some facilities monitored by the Unit. This means that no critical reporting issues were identified for this Quarter.

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FACILITY UPDATE ALLEGANY COUNTY GIRLS GROUP HOME

Issues Reported: Aggressive Incidents
Facility Grounds
Advisory Board

Dates of Visits: May 23 and June 5, 2008

Reported by: Tim Snyder, Juvenile Justice Monitor

AREAS OF CONCERN

1. Aggressive Incidents

ACGGH had seven incidents during this quarter. One involved an AWOL and threat of suicide requiring psychiatric evaluation after police picked up the youth. A second involved a youth with a knife threatening suicide, a youth on staff assault, and a youth on youth assault resulting in police filing assault charges on two youth.

2. Facility Grounds

The grounds continue to have trash strewn about, including cigarette butts. On a site visit during this quarter, the Monitor observed paper cups, a hairbrush, food wrappers, and pieces of plastic and paper trash around the yard.

3. Advisory Board

A Community Advisory Board has been established for the facility.

CONDITIONS UNABATED FOR MORE THAN 30 DAYS

1. The grounds should be kept free of trash.
2. Staff should not be smoking on grounds.

FACILITY UPDATE AUNT CC's HARBOR HOUSE FOR BOYS

Issues Reported: Safety/Security
Dates of Visits: April 3, May 20, June 11, 2008
Reported by: Tanya Suggs, Juvenile Justice Monitor

AREAS OF CONCERN

1. Safety/Security

During this quarter, several youth reported to the JJMU Monitor that a male staff was coming to work drunk. The Monitor discussed this concern with the Director and was informed that the staff member had already been terminated. According to the Facility Director, Aunt CC's does not require drug or alcohol screening as part of the hiring process.

RECOMMENDATIONS

1. Aunt CC's employee interview and hiring process should include drug and alcohol screenings, and random tests should be conducted thereafter.

FACILITY UPDATE

BALTIMORE CITY JUVENILE JUSTICE CENTER

Issues Reported: Population
Level of Violence
Disproportionate Minority Confinement

Dates of Visits: May 6, 16, and 27, June 6 and 23, 2008

Reported by: Claudia Wright, Juvenile Justice Monitor

AREAS OF CONCERN

1. Population

The maximum capacity of the facility is 144. JJMU routinely reports facility population on the last day of each month. On three of the four dates during the 2nd quarter, the population was at or above capacity.

- April 1 – 114
- April 30 – 146
- May 30 – 154
- June 30 – 146

The average daily population between April and June, 2008 was 133. After the end of the reporting quarter, population at BCJJC declined significantly throughout the month of August, frequently totaling approximately 100 youth.

2. Level of Violence

Youth on Youth Assaults continue to increase at BCJJC. Assaults in the 2nd Quarter have risen 46% compared to the same period in 2007.

Youth on Youth Assaults	2 nd Quarter, 2008	191
	1 st Quarter, 2008	167
	2 nd quarter, 2007	131

Arrests and Alleged Youth on Staff Assaults remained stable. Incidents of contraband increased from 19 in the 1st Quarter to 26 in the 2nd Quarter.

Two cases of alleged Child Abuse against staff members were sustained in this reporting period.

3. Disproportionate Minority Confinement

- Total detention events with youth detained – 906
- Total detention events with non-African American youth (Caucasian, Hispanic, American Indian) detained – 32 (3.5%)

CONDITIONS UNABATED FOR MORE THAN 30 DAYS

Levels of violence and disproportionate minority confinement continue unabated since the 1st quarter, 2008 reporting period.

FACILITY UPDATE J. DEWEESE CARTER CENTER

Issues Reported: Programming
Food

Dates of Visits: May 9 and June 19, 2008

Reported by: Claudia Wright, Juvenile Justice Monitor

AREAS OF CONCERN

1. Programming

Lack of adequate programming remains a major issue at Carter. A revised program schedule was submitted to the Carter Advisory Board on July 14. This schedule reveals the paucity of program options available to youth incarcerated at Carter. Departmental standards require that youth be offered a minimum of one hour of large muscle activity and one hour of structured leisure time recreational activity each day.

The only structured leisure time activities at Carter are one hour of Arts and Crafts and four hours of religious activities provided by volunteer clergy from the community. When questioned about activities for youth who do not wish to participate in religious activities, the Superintendent explained that they could participate in “structured programming” – board games, cards and TV. Only 6 hours per week of “structured activities” are provided by paid program professionals. Carter still has no recreation director, nor is a position budgeted, even though this was promised more than a year ago.

Although the Department lists Chess/Checker Club, Reflective Journaling Club, Book Club, and Music Appreciation as structured recreational programming activities available to youth at Carter, facility schedules and unit log books do not reflect that these activities have been held this year.

At the Carter Advisory Board meeting held on July 14, the Board was given final notice that the promised outdoor cover for the basketball court would not be forthcoming. The renovation of the outside shed for weight training has not occurred.

It is difficult to understand the failure of the Department to commit any real resources to activities for Carter youth, when youth at other facilities have such activities as screen printing, carpentry, ceramics, swimming, canteen with pool tables, weight training, drumming, legal rights training, art and horticulture.

Portable buildings have arrived and should be available for school classes to start in the fall. This much needed space should be used to begin a meaningful recreation program for Carter youth.

2. Food

Staff and youth interviewed during this reporting period continued to complain that food is poor in quality. Staff said that items indicated on the menu are often not provided. Youth filed grievances in June complaining of “bugs in the food.” DJS promptly reported the complaints to the contract food service provider. The provider had not been properly covering food for transport from the facility next door where it is prepared and responded with an appropriate plan of correction. All food and service items which are not transported inside carts or containers are now wrapped in plastic to avoid potential infestation..

RECOMMENDATIONS

1. The Department should act immediately to budget funds for an adequate recreational program for the Carter Center.
2. The Department should address continuing staff and youth complaints about the quality of the food provided to Carter youth.

FACILITY UPDATE

CHELTENHAM YOUTH FACILITY

Issues Reported: Consequence Beds
Interagency Collaboration

Dates of Visits: April 15, May 15 and 23, June 13 and 27, 2008

Reported by: Moira Lee, Juvenile Justice Monitor

AREAS OF CONCERN

1. Consequence Beds

The term “consequence bed” refers to youth being sent to Cheltenham for punishment (as a “consequence” for poor behavior). Staff report that youth are sent to Cheltenham for the weekend, or longer, as punishment for violating probation. This practice contributes to overcrowding, staff overtime, and additional violence at the facility. When youth are sent to the facility for the weekend, the additional numbers of youth mean that additional staff are needed for coverage. On occasion, youth have not been housed by appropriate classification because they are placed in an available bed or because a judge has ordered Cheltenham to place them in a specific cottage.

2. Collaboration

This Monitor contacted OIA staff at headquarters four times, 3 by email and once by phone, regarding an incident at Cheltenham (DJS Incident Number 64002). After the 4th contact, the OIA staff member initially contacted notified the Monitor that the inquiry had been forwarded to the OIA Director. The Director never responded to the inquiry. This Monitor left four phone messages for the State Trooper working with Cheltenham on the aforementioned incident – the calls were not returned. Lack of cooperation from DJS administrative staff and the law enforcement agencies inhibits the Monitor from completing its legislatively-mandated duties.

3. Population

During this quarter, the average length of stay for youth in detention at Cheltenham was 19 days. Three youth were held in detention for over 90 days (1 youth stayed for 193 days, 1 youth stayed for 121, & 1 youth stayed for 118 days). There were a total of 11 youth detained for over 60 days.

RECOMMENDATIONS

1. DJS should not accept youth sent to Cheltenham as punishment.
2. DJS administrators and law enforcement should promptly respond to inquiries by Juvenile Justice Monitors.

CONDITIONS UNABATED FOR MORE THAN 30 DAYS

1. Additional suicide resistant beds are needed in each cottage.
2. Lack of video surveillance cameras in areas where youth gather, most importantly in the school.
3. Youth should never be held longer than 90 days in detention.
4. DJS should proceed to establish a written MOU for interagency response to child abuse at the facility. In jurisdictions which have signed MOU's (Baltimore, Anne Arundel, and Carroll Counties; in process in Baltimore City and Montgomery County), interagency coordination in the investigation of child abuse has been significantly enhanced.
5. Excessive use of overtime must be reduced to keep staff fresh and alert for dealing with youth issues.

FACILITY UPDATE COLBOURNE GROUP HOME FOR BOYS

Issues Reported: Safety/Security

- Fire
- Incident Reports

Dates of Visits: April 6, May 9 and 21, June 2 and 9, 2008

Reported by: Tanya Suggs, Juvenile Justice Monitor

AREAS OF CONCERN

SAFETY/SECURITY

a. Fire

The State Fire Marshal conducted a fire inspection on June 11, 2008. The inspection noted the requirement of a second means of egress from the second floor and the need to replace the old, inoperable alarm system in the basement. The smoke detectors were not working. Most findings were corrected during the quarter, including the installation of new heat detectors and sprinkler heads. Repair of the alarm system is not complete. The Fire Marshal refused to approve the new alarm system until an additional heater and sprinkler head are installed.

b. Incident Reports

There were 38 incidents reported this quarter: 13 in April, 15 in May and 10 in June. Not all incidents that occurred in the home were reported or promptly investigated, including a potential improper restraint which sent a youth to the hospital on May 13 (ITFCO805417). The Monitor contacted the DJS Investigator in early June to ask about the status of the investigation of this incident. The involved youth was not interviewed by the Investigator until June 26 – six weeks following the incident. Staff interviews with staff were conducted between June 26 and early July, and the final Investigative Report was sent to the Monitor on July 21. The investigation did not find child abuse or inappropriate behavior by the staff member involved.

During the quarter, several grievances were submitted based on incidents occurring in the home that were not included in the DJS Incident Reporting Database. Several incidents were recorded in the logbook but no incident reports were filed. These included:

- Youth taken to the hospital suffering from arm pain after staff pulled his arm to separate him from a confrontation with another youth (5/6);
- Youth discovered with contraband (cigarettes)(5/6 and 5/7);
- Two youth placed on room restriction for 2 days(5/6);
- Youth placed on room restriction for refusing to complete chores (5/25).

The Juvenile Justice Monitoring Unit does not have access to the Colbourne Group Home in the DJS Incident Database. The Monitor must collect all Incident Reports from the Facility Administrator during site visits.

RECOMMENDATIONS

1. Complete fire alarm installation as soon as possible.
2. Complete a DJS incident report for all incidents that take place in the home.

CONDITIONS UNABATED FOR MORE THAN 30 DAYS

1. The Program has not moved from the inadequate West Baltimore City property.
2. Staff does not document or report all incidents.
3. The Juvenile Justice Monitoring Unit needs to have access to Colbourne in the DJS Incident Reporting Database.
4. A Behavior Management System has not been implemented.

FACILITY UPDATE GUIDE CATONSVILLE SHELTER FOR BOYS

Issues Reported: Education
Safety/Security

Dates of Visits: May 13 and 27, June 9

Reported by: Tanya Suggs, Juvenile Justice Monitor

AREAS OF CONCERN

1. Education

The full time teacher resigned at the beginning of the second quarter. From that time, until the end of June, a full-time direct care staff who was not certified to teach filled in as the summer school teacher. On August 25, a new full-time certified teacher began work.

2. Safety/Security

Deadbolt locks were removed from the all bedrooms doors; however, each bedroom door still has a turn-button knob lock. The JJMU Monitor advised the director several times to remove all locks from the bedroom doors so that staff could monitor the youth at all times.

During the quarter, a youth locked himself in the room and AWOLed by jumping out of the window. Staff was unable to locate the keys in time to unlock the door.

RECOMMENDATIONS

1. All teachers in the GUIDE education program must be certified.

UNABATED CONDITIONS

1. Door locks should be removed from youth bedroom doors.

FACILITY UPDATE CHARLES HICKEY SCHOOL FOR BOYS

Issues Reported: Safety/Security

- Incidents
- Fire

Dates of Visits: April 1 and 22, May 6 and 15, June 1, 5, and 9, 2008

Reported by: Tanya Suggs, Juvenile Justice Monitor

AREAS OF CONCERN

1. Safety/Security

a. Incidents

The number of violent incidents increased slightly in the second quarter, but the number of seclusions significantly decreased. According to the Department of Juvenile Services (DJS) Incident Reporting Database, there were 67 Youth on Youth Assaults compared to 62 last quarter, and there were 6 alleged Youth on Staff Assaults compared to 5 last quarter. There were 5 incidents of seclusion compared to 15 last quarter.

b. Fire

In April, the fire alarm system at Hickey failed:

1. A portion of the alarm system was down, affecting communication between the living units and the gatehouse. If staff or youth activated the fire alarms on a living unit, they would sound inside the unit but would not communicate with the gatehouse, delaying the gatehouse staff's ability to contact emergency responders.
2. According to the State Fire Marshal, the smoke detectors in the living units were inoperable.
3. Sprinkler systems in the living units continued to function properly.

The Maryland State Fire Marshal directed Hickey to develop and implement a fire watch protocol and procedures, including conducting and logging perimeter checks. A roving staff was required to cruise the campus in a van and rotate between each living unit every 15 minutes. The roving staff was required to note the status of each living unit and radio the status of the unit into the gatehouse. During this period, regular fire drills were conducted on all units.

Staff members were required to conduct fire watch on each living unit on each shift, every fifteen minutes to a half hour, as long as there were youth on the unit. Perimeter checks of every room in the unit including offices, maintenance closets, bathrooms, and recreation areas were required, and each staff was required to have a radio and note the status of the checks in the logbook.

Throughout the quarter, the Monitor conducted weekly visits to the facility to ensure the safety of the youth. The Monitor conducted two midnight visits during the quarter to confirm whether Hickey staff were complying with fire watchman requirements.

During the 3:30 am visit on June 1, the Monitor visited all three living units and interviewed staff. The staff were unaware of the required watchman procedures for staff inside the units. All six staff (2 on each unit) told the Monitor that the roving van was the "fire watchman." Staff did not have knowledge of additional responsibilities beyond conducting general perimeter checks of the youth every 30 minutes. The Monitor observed and noted that the staff did not conduct additional room checks.

During the Monitor's 12:30 am visit on June 23, the Monitor interviewed staff about their watchman responsibilities. The Monitor noted the staff's inability to enter several offices (Case Managers, barbershop room, and maintenance closets) because they did not have keys to these rooms. One staff did not have a radio. Checks were not logged at all. At the end of the visit, the Monitor debriefed the Shift Commander and provided him with a debriefing form that contained all findings regarding Hickey's non-compliance with the fire watch requirements.

Final repairs to the system were completed on August 14, and the State Fire Marshall approved the repairs in early September.

CONDITIONS UNABATED FOR MORE THAN 30 DAYS

1. Additional security equipment should be purchased and installed, including surveillance cameras (living units, master, control, gatehouse, Peabody school hallways).
2. Walkie - talkies should be provided to all direct-care staff and managers.
3. Incident Reports continue to indicate that incidents are not videotaped because "a video camera was unavailable." Incidents must be videotaped consistent with Departmental policy.

4. Exit doors must be numerically labeled so staff and youth can easily identify exit points in the event of evacuation.
5. Living units and sleeping areas should be kept clean; bathrooms should be painted and deodorized. Cracked light bulb covers should be replaced.
6. Community case managers should visit with the youth as required by DJS policy.

FACILITY UPDATE KARMA ACADEMY RANDALLSTOWN

Issues Reported: Aggressive Incidents

Dates of Visits: May 16 and June 9, 2008

Reported by: Philip Merson and Moira Lee, Juvenile Justice Monitors

AREAS OF CONCERN

1. Aggressive Incidents

Karma experienced an increase in Youth on Youth Assaults from 0 in the first quarter to 5 this quarter.

Two assault incidents involved one youth – in one case the youth choked another until he passed out. This Office recommended that the youth be removed from the program out of concern for the safety of other youth; however, he stayed in the program and committed another serious assault against a youth. The youth was later removed from the program when this Office forwarded an e-mail to DJS administration.

When questioned about why staff do not intervene in youth on youth altercations, administration at the facility advised, “We do not restrain youth.” Both incidents occurred quickly (the first assault last no more than 30 seconds), and staff did intervene, but not quickly enough to prevent the youth from passing out.

RECOMMENDATIONS

1. Staff should improve crisis intervention techniques to ensure youth are safe from assault. If Karma’s policy is to accept violent youth, it must keep those youth under very close supervision to ensure they do not harm other youth.

CONDITIONS UNABATED FOR MORE THAN 30 DAYS

1. DJS should promulgate standards for treatment of sex offenders based on the recommendations of the 2005 and 2007 Sex Offender Task Force Reports.
2. DJS should establish a position for Director of Treatment Services for Sex

Offending Youth or appoint a person on staff to interface with providers and others on these issues.

3. Karma should implement an evidence-based or nationally-recognized treatment model to use with sex offending youth.
4. DJS should promptly notify Karma staff of available training programs and provide space in training programs for Karma staff.

FACILITY UPDATE KARMA ACADEMY FOR BOYS (ROCKVILLE)

Issues Reported: Sex Offender Treatment Programming

Dates of Visits: April 29, May 27, and June 12, 2008

Reported by: Moira Lee, Juvenile Justice Monitor

There are no new issues to report at Karma, but unabated conditions regarding programming continue. Despite a stated willingness to improve the treatment program, Karma staff are not following the sex offender task force recommendations, have limited access to regional sex offender treatment training programs, and have not modified their treatment model.

CONDITIONS UNABATED FOR MORE THAN 30 DAYS

1. DJS should promulgate standards for treatment of sex offenders based on the recommendations of the 2005 and 2007 Sex Offender Task Force Reports.
2. DJS should establish a position for Director of Treatment Services for Sex Offending Youth or appoint a person on staff to interface with providers and others on these issues.
3. Karma should implement an evidence-based or nationally-recognized treatment model to use with sex offending youth.
4. DJS should promptly notify Karma staff of available training programs and provide space in training programs for Karma staff.

FACILITY UPDATE LIBERTY GROUP HOME FOR BOYS

Issues Reported: Population
Grievance System

Dates of Visits: April 17, May 13, June 12, 2008

Reported by: Tanya Suggs, Juvenile Justice Monitor

AREAS OF CONCERN

1. Population

Liberty has not accepted DJS youth since January 2008. According to the Director, the youths referred by DJS did not fit the criteria for acceptance. The Monitor requested DJS referrals for review; however, the Director said she had discarded them. She keeps a log of all referrals but told the Monitor that she is not sure what agencies refer youth. The Monitor has provided a Monitoring Visit Debriefing Form to the Director recommending that she keep copies of all referrals.

2. Grievance System

The grievance form box is not secure. A DJS grievance box was recently installed. Due to the large size of the slot, youth are able to retrieve grievances from the box.

RECOMMENDATIONS

1. The Department should review the provider contract's referral and acceptance policy.
2. The program should keep copies of all referrals.
3. The grievance box should be replaced with a box that contains a slot that is secure and tamper resistant.

FACILITY UPDATE NEW DOMINION SCHOOL

Issues Reported: Staffing
Incidents

Dates of Visits: April 29, May 1 and 16, June 3 and 16, 2008

Reported by: Tim Snyder, Juvenile Justice Monitor

AREAS OF CONCERN

1. Staffing

A number of staff recently left New Dominion. The Administrator, Assistant Program Director, two family workers, and the Admissions Director have all resigned. Two cooks, an overnight watchman, and one service person were laid off. Until these positions are filled, three staff from the company's headquarters in Huntsville, Alabama are rotating at New Dominion to provide administrative and programmatic support. Sufficient Direct Care staff are on board to provide coverage to the two groups.

2. Incidents

New Dominion has experienced a significant increase in incidents during this Quarter. "Acting out" behavior has been the primary cause of the increase in incidents. The DJS Database Summary Report shows that in the category "Inappropriate Conduct/Comments by youth, there was an increase from 6 in the 1st Quarter to 21 in the second Quarter. Total incidents increased from 15 in the 1st Quarter to 35 in the second Quarter 2008.

CONDITIONS UNABATED FOR MORE THAN 30 DAYS

1. Some youth see their Community Case Managers on a monthly basis, but others do not. DJS Community Case Managers must meet with youth at the facility as required.

FACILITY UPDATE

ALFRED D. NOYES CHILDREN'S CENTER

Issues Reported: Population
Safety and Security

Dates of Visits: April 28, May 6, 7, 13, June 10, 26, 2008

Reported and Visited by: Tim Snyder, Juvenile Justice Monitor

AREAS OF CONCERN

1. Population

The population increased from the approximately 30 in the first quarter to 60 by the end of the quarter. Three youth were in Pending Placement status for more than 60 days - for 97, 73, and 64 days. One youth with serious mental illness has been at Noyes since June 4th. Most youth are moved through the facility efficiently. This has been noted in previous JJMU reports. The average length of stay for youth at Noyes during the past year is as follows:

FY 08, 4 th Quarter -- 17
FY 08, 3 rd Quarter -- 17
FY 08, 2 nd Quarter -- 23
FY 08, 1 st Quarter -- 18

2. Safety and Security

a. Equipment and Fencing

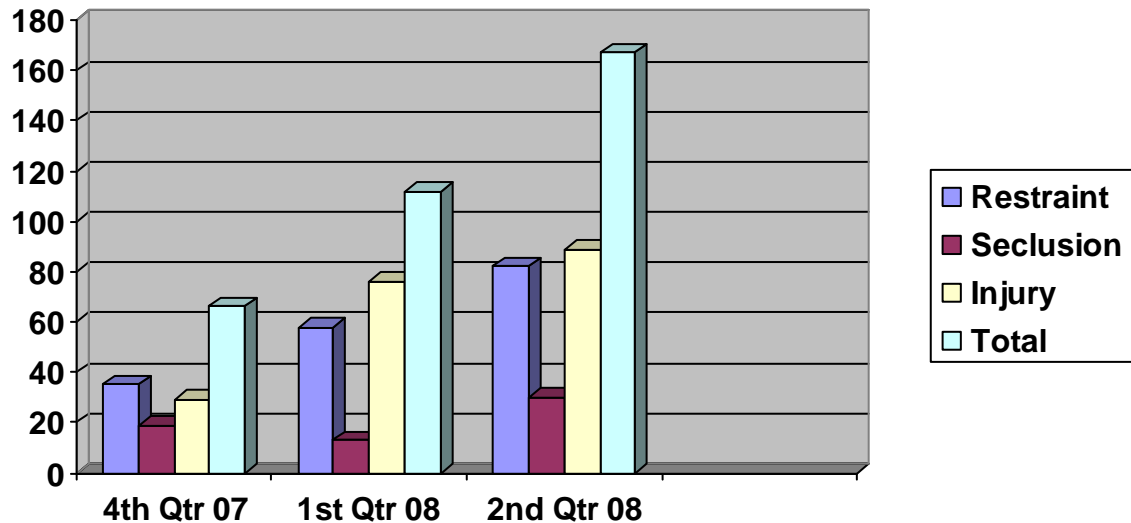
Noyes lacks internal and external camera, monitoring/recording equipment, but during this quarter, DJS surveyed the facility interior and exterior in preparation for adding the needed capability.

DJS has added no climb mesh to the existing fence. Youth sleeping rooms in the front of the building still need security fencing to keep outsiders from approaching the youths' windows.

b. Incidents

Aggressive incidents continued to increase at Noyes during this quarter as did serious youth injuries. During one altercation, a youth sustained a fractured jaw. In another altercation, a youth sustained a concussion. Youth on Youth

Assaults peaked in June – the Superintendent reported that many of those incidents involved the same few youth. After the end of the quarter, in July, incidents returned to their pre-June levels.



Source: Department of Juvenile Services Incident Reporting Database.

Noyes continues to house a number of youth from outside Montgomery County. The mixing of youth from Baltimore, Washington, D.C., Prince Georges and other counties exacerbates group rivalries. Lack of space also makes it difficult to separate youth who are likely to have a conflict.

Staff members report that communication and teamwork among the staff continues to need improvement, and programming is not effective enough at this point to provide incentives for youth to cooperate within the facility.

CONDITIONS UNABATED FOR MORE THAN 30 DAYS

1. Additional security and surveillance equipment should be installed, both inside and outside the facility, as reported previously.
2. Noyes still needs a second Social Worker, a full-time Child Advocate, and a Psychologist.
3. Teachers consistently mention the need for more space to break into smaller classes and provide more individualized instruction. The Department has recognized this need by working to add an additional modular building to the Noyes school. This space should be added as soon as possible to ensure that youth can receive education services on

“an individual or small group basis” as required by DJS Standards for Detention Facilities.

4. The medical unit should be expanded. It lacks a bathroom (for gathering specimens), an infirmary room for sick youth, and adequate storage space.
5. Facility maintenance projects already reported should be addressed – registers, floor tiles in sleeping rooms, and generator.

FACILITY UPDATE SYKESVILLE SHELTER FOR GIRLS

Issues Reported: Aggressive Incidents
Facility Maintenance and Repairs

Dates of Visits: May 23 and June 5, 2008

Reported by: Philip Merson, Juvenile Justice Monitor

AREAS OF CONCERN

1. **Aggressive Incidents**

According to the Department of Juvenile Services Incident Report Database, there were no aggressive incidents at the Sykesville Shelter for this past quarter.

2. **Failure to Report Incident**

The Maryland State Police completed a report on the theft of a staff's \$1500.00 bracelet at the facility on April 22, 2008, but no report was completed or entered into the DJS Incident Reporting Database. The State Police report (08-56-011629) said that Police searched the entire facility and grounds and questioned all youth. An Incident Report should have been completed – even if to report “Law Enforcement Officer on Grounds.” DJS was notified of the failure to report on July 24.

3. **Maintenance**

The driveway still has not been repaired as promised by DJS.

CONDITIONS UNABATED FOR MORE THAN 30 DAYS

1. The driveway at the facility has posed a health and safety risk for several years and should be repaired.

RECOMMENDATIONS

1. DJS must ensure facilities are completing Incident Reports as required.

FACILITY UPDATE THOMAS O'FARRELL YOUTH CENTER

Issues Reported: Interagency Agreement for Child Abuse
Aggressive Incidents
Youth Placements

Dates of Visits: April 28, June 2 and 13, 2008

Reported by: Philip Merson, Juvenile Justice Monitor

AREAS OF CONCERN

1. Interagency Agreement for Child Abuse

The Interagency Agreement for Reporting and Responding to Child Abuse between Thomas O'Farrell (TOYC), the Carroll County Department of Social Services, Maryland State Police, Carroll County Sheriff's Department, Department of Juvenile Services, Carroll County States Attorney's Office and this office was signed on April 28 and placed into effect on June 8, 2008.

2. Aggressive Incidents

According to the Department of Juvenile Services Incident Reporting Database, O'Farrell experienced an increase in Youth on Youth Assaults this quarter (from 14 to 18). Alleged Physical Child Abuse incidents remained consistent at 2 last quarter and 2 this quarter while Physical Restraints increased slightly from 5 last quarter to 6 this quarter. Youth on Staff Assaults decreased from 3 last quarter to 1 this quarter.

Maryland State Police completed 10 assault investigations and 2 child abuse investigations at the facility this quarter.

The Nurses' Reports of Injury log for May revealed 8 incidents of Youth on Youth Assaults and Restraints that resulted in injuries. The injuries included a head injury/concussion, a severe leg injury, bloody noses, eye injuries, sore necks, a cut nose, injured mouths, and hand/elbow injuries.

3. Youth Placements

Youth continue to be inappropriately placed at Thomas O'Farrell. In January, 2008, a mental health evaluation for a youth with a history of abuse victimization and extensive runaways recommended placement in a secure residential treatment center after wraparound services and several in-state

placements had failed. Nevertheless, the youth was placed at Mountain Manor, an unsecure treatment center, and after he AWOLED, at O'Farrell.

The youth AWOLED from O'Farrell as well. He was later discharged from O'Farrell for his involvement in an altercation and is currently at the Baltimore City Juvenile Justice Center awaiting out-of-state placement. JJMU can identify the youth in discussion with DJS.

CONDITIONS UNABATED FOR MORE THAN 30 DAYS

1. Thomas O'Farrell must reduce the violence and injuries at the facility.
2. DJS must ensure youth who are referred to TOYC are appropriate for the program.
3. TOYC property and buildings belong to the State of Maryland; therefore, DJS must continue to maintain, refurbish and rebuild the physical plant.

Numerous reports of the Juvenile Justice Monitor have discussed the unacceptability of the infirmary space at TOYC. The 2nd Quarter, 2007 pictorial report documented the infirmary's cramped space, lack of privacy, and dual use as an office. See http://www.oag.state.md.us/JJMU/Comp0407_0607/2nd%20Quarter%20Final.pdf (Thomas O'Farrell Medical Office and Examination Room).

An acceptable infirmary/medical suite must be built immediately.

FACILITY UPDATE VICTOR CULLEN YOUTH CENTER

Issues Reported: Aggressive Incidents
Programming
Community Case Manager Visits
Staff Certifications

Dates of Visits: April 8, May 8 and 22, June 17, July 3 and 17, 2008

Reported by: Philip Merson, Juvenile Justice Monitor

AREAS OF CONCERN

1. Aggressive Incidents

This Office issued a Special Report on an Escape/Assault/Robbery that occurred on June 16. The report recommended changes in the staffing pattern, staff and facility alarms, and facility surveillance system, upgrading of the community notification system and better collaboration with surrounding law enforcement entities to prevent and manage future escapes and attempts. (The report is available on www.oag.state.md.us/jjmu.)

According to the DJS Incident Reporting database, aggressive incidents at Victor Cullen declined significantly in this quarter. Alleged Youth on Youth Assaults decreased from 10 during the first quarter to 6 this quarter. Youth on Staff Assaults decreased from 7 last quarter to 4 this quarter. Alleged Physical Child Abuse incidents remained consistent at 1 last quarter and 1 this quarter while Physical Restraints decreased from 23 last quarter to 13 this quarter. There were no group disturbances reported.

A DJS investigative report from the Office of Investigations and Advocacy dated April 2, sustained Unnecessary Use of Force and other violations of policy against staff for an alleged child abuse that occurred in March.

Maryland State Police statistics indicated there were two criminal investigations (1 assault and 1 escape/robbery/assault) at the facility for this past quarter compared to three (assaults) last quarter.

2. Programming

The Victor Cullen rehabilitative program continues to be a work in progress. The new Clinical Director appears to be a dedicated professional and is working on a number of programming initiatives. Nevertheless, Victor Cullen

still lacks a cohesive evidence-based therapeutic and rehabilitative program. (See main body of report.) Some additional Case Managers have been hired, but additional therapists are needed. One staff member reported that there were “very few mental health group sessions” at the facility beyond the Positive Peer Culture (PPC) meetings. Staff continue to be trained in the PPC program model.

The Pre-Apprenticeship Program launched this quarter served 11 youth between May through July. Primarily, youth gave very positive reports on the program. One youth interviewed requested more hands-on training, and one staff member reported that youth were observed sleeping through classes in the program.

Unfortunately, the Department does not plan to repeat the Pre-Apprenticeship Program until late winter or spring, 2009, and it is unclear whether the program will be offered again at Victor Cullen or at the Youth Centers. The Department has not provided reasons for the delay in repeating the program.

The Maryland Department of Natural Resources (DNR) and 10 youth from Victor Cullen collaborated in a 1-day forest reforestation project at Cunningham Falls State Park on April 29. DNR reported that the event was very successful, but there have been no follow-up or additional sessions with Victor Cullen youth.

Several youth who have completed the program said that the cooking and hands-on opportunities to do maintenance (not part of the Pre-Apprenticeship Program) were very helpful to them. However, they complained that the work programming was very unstructured and inconsistent.

Administrators at the facility advised there are plans to implement horticulture and music programs at the facility.

3. Community Case Managers

Several youth complained that their Community Case Managers were either not visiting them at the facility or failing to properly coordinate their release from the facility. The Facility Case Manager verified that the Community Case Manager for a youth from the Eastern Shore had not visited as required. A second youth from Baltimore City did not have a clear release date because his Community Case Manager had not been involved. When JJMU reported the youth’s and parent’s concern to the Regional Director, the youth received a release date.

4. Staff Certification

On May 8, only 33 of the 52 (63%) mandated direct care staff had received the required training. At present 74% of Victor Cullen staff is

provisionally or fully certified – provisionally certified staff have either not completed training, are not fully certified, and may not work with youth unless fully certified staff are present. A full-time Training Coordinator has been hired at Victor Cullen to ensure that staff meet training requirements. Two special education teachers were hired.

RECOMMENDATIONS

1. DJS must continue to focus on the safety and welfare of youth by preventing security breaches (June 16 escape) and inappropriate staff conduct (April 2 investigative report sustaining Unnecessary Use of Force allegation against staff member.).
2. A coherent and evidence-based rehabilitative program should be implemented.
3. Vocational programming should be consistent and offered to all youth. Departmental follow-up with youth completing programs such as the Pre-Apprenticeship Program is essential and should be offered in youth's home communities.
4. The Department should open a more public dialogue regarding difficulties in rescheduling the popular Pre-Apprenticeship Program.
5. Community Case Managers must visit youth as required and collaborate with Facility Case Managers to develop comprehensive aftercare plans. Youth should be involved in developing these plans and should understand their legal and release status.
6. All staff must complete required training.
7. Additional certified therapists and counselors should be hired.

FACILITY UPDATE THOMAS J.S. WAXTER CHILDREN'S CENTER

Issues Reported: Escapes
Gender Responsive Training

Dates of Visits: April 4, May 5 and 29, June 6, 19, 23, 26 and 30,
2008

Reported by: Moira Lee, Juvenile Justice Monitor

AREAS OF CONCERN

1. Escapes

Four girls escaped from Waxter this quarter. Investigations of both incidents resulted in sustained violation of procedures by staff.

On April 17, 2008 three youth escaped when staff took the girls to an unsecured location for outside leisure time. Involved staff members were disciplined for their actions. On June 21, 2008 a fourth girl escaped from Waxter – she is 12 years old. The youth hid in the bathroom while staff took the other youth inside. Staff reported that no one noticed the youth was missing until nursing staff came to administer medication. The written reports do not reflect this information.

After the second escape, the facility began securing the fencing. The girls remained on their units for nine days while construction on the fencing took place.

All four youth were eventually located and returned to DJS custody.

2. Gender Responsive Training

Twenty out of 77 employees at Waxter have attended gender responsive training courses offered through the Department of Juvenile Services. Staff response to the program was both positive and negative. The next training has not been scheduled, but the Department said it anticipates offering another course in September. The course is open to all DJS employees working with girls, so the number of staff eligible to attend the training from Waxter will be limited.

RECOMMENDATIONS

1. Ensure appropriate staff supervision of youth.
2. Provide further training to ensure that staff know facility procedures and policies.
3. Increase the frequency of gender responsive training courses. Ensure that all Waxter staff are trained.

CONDITIONS UNABATED FOR MORE THAN 30 DAYS

1. Continued inappropriate placement of youth in the program.

FACILITY UPDATE WESTERN MARYLAND CHILDREN'S CENTER

Issues Reported: Aggressive Incidents
Staffing

Dates of Visits: May 8 and 30, June 3 and 16, 2008

Reported by: Philip Merson and Tim Snyder, Juvenile Justice
Monitors

AREAS OF CONCERN

1. Aggressive Incidents

According to the Department of Juvenile Services Incident Reporting Database, Western Maryland Children's Center experienced a decrease in aggressive incidents during the second quarter. Alleged Youth on Youth Assaults decreased from 8 during the first quarter to 7 this quarter. Youth on Staff Assaults decreased from 4 last quarter to 3 this quarter. Alleged Physical Child Abuse incidents decreased from 3 last quarter to 2 this quarter and Physical Restraints decreased from 26 during the first quarter to 20 this quarter. WMCC did not use seclusion during the second quarter.

Maryland State Police conducted 7 criminal investigations (6 assault and 1 child abuse) this quarter compared to 13 in the first quarter of the year (11 assaults and 2 child abuses).

2. Staffing

During a visit on May 30, there was an observed shortage of certified staff working at the facility. The Shift Commander noted that 5 staff were "shadowing" other staff because their background checks had not been completed. Uncertified staff should not be counted in staff:youth ratios. There was also a 1.0 position shortage in the medical section. A nurse has since been hired to fill this position.

CONDITIONS UNABATED FOR MORE THAN 30 DAYS

1. Noise dampening materials should be installed on the units, the fencing should be completed for safety and security purposes and the vitreous china fixtures should be replaced with stainless steel.