

THOMAS J. S. WAXTER CHILDREN'S CENTER

SPECIAL REPORT MARCH 22, 2007

**DEPARTMENT OF JUVENILE SERVICES RESPONSE, CORRECTIVE ACTION
PLAN AND CLARIFICATION OF CORRECTIVE ACTION PLAN**

FINAL COMMENTS OF THE JUVENILE JUSTICE MONITORING UNIT

Facility: Thomas J. S. Waxter Children's Center
375 Red Clay Rd.
Laurel, Md. 20724
Superintendent: Ms. Janice Gardener
Phone: 410-792-7416

Date of Investigation: January 23 – March 2, 2007

Reported by: Claudia Wright

Issues Reported: Threat to Life, Health, and Safety of Staff and Youth

- Inadequacy of physical facility
- Improper use of seclusion
- Staffing shortage and insufficient staff training

Date of Report: March 22, 2007

FINAL COMMENTS

On January 22, 2007, approximately 20 girls who were living in the "B" Unit at the Waxter Children's Center were involved in a melee which resulted in the flooding of the unit, intervention by the State Police and the Fire Department and mass punishment of residents of the "B" Unit by placing them in seclusion in their cells. Because this event resulted from, and is illustrative of, long-standing problems in the administration of this facility, JJMU prepared this Special Report to examine and make recommendations regarding those issues.

In April, 2007, the Department retained the services of a nationally recognized expert in programming for girls in the juvenile justice system. DJS received the Final Assessment and Report by Bray Associates on May 9, 2007. In her first Comment in the Report, the consultant stated, "[T]he physical plant presents significant issues around safety and security, maintenance, and organization. These issues were documented in the JJ monitoring Unit Reports. **The Evaluator concurs with all recommendations sited in the reports. This is the PRIORITY area.**" (emphasis added). Compliance with even the most critical safety recommendations of the JJMU and Bray Associates has been slow and many corrective actions have either not been completed or have not been addressed at all. DJS has not provided the Monitor with an Action Plan based on the Report, as promised (Clarifications of the Corrective Action Plan #1 B, June 4, 2007).

The possibility of a catastrophic fire in this facility remains very real. New locks have been installed in the "B" Unit cells, but JJMU has not been notified of training of staff in rapid identification of emergency egress keys (Clarifications of the Corrective Action Plan #2B, June 4, 2007). Observation reveals that staff are not proficient in rapid identification of keys. The State Fire Marshal inspects only once a year, and relies upon the facility staff to check and maintain equipment at least monthly. Maintenance of fire equipment has been inconsistent. On August 9, 2007, observation of the fire extinguisher *located in the room which contains a large dryer that regularly overheats and set off the fire alarm* revealed that it had not been checked for maintenance since November, 2006.

There remains no functioning behavior modification system at this facility. The number of staff openings on September 12, 2007 is 12. Staff worked 677 hours of overtime just in the month of July, 2007.

The recently released Department of Juvenile Services Strategic Plan for 2008 includes no improvements in the Waxter physical plant in the foreseeable future. The Secretary indicated in response to inquiries that Waxter would not be rebuilt for at least four years. Facility administrators have no date at this time for the bathroom renovations to begin.

To date the response of the Department to the deficiencies in the Waxter program has been inadequate. We will continue to monitor this situation.