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

**DEPARTMENT OF JUVENILE SERVICES
RESPONSE TO SPECIAL REPORT**

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

RECOMMENDATIONS
JUVENILE JUSTICE MONITORING UNIT
OFFICE OF THE ATTORNEY GENERAL
AND
RESPONSES
DEPARTMENT OF JUVENILE SERVICES

1. The Waxter Center physical facility has outlived its usefulness as a housing unit for children. The deficiencies of the physical plant threaten the safety of children and staff. It would be virtually impossible to improve the physical plant sufficiently to make it suitable for a secure detention program. We believe the children who are housed at Waxter should be relocated to an appropriate facility at the earliest possible date.

Department of Juvenile Services Response:

An assessment of the usefulness of Waxter is ongoing. We are currently looking at alternatives to the current facility.

2. A workable key system should be instituted immediately.
 - a. All facility keys should be color and/or texture coded to be easily identifiable in an emergency.
 - b. All locks should be opened easily with keys.
 - c. All staff members should be tested until they can rapidly identify emergency egress keys by touch.

If such a system cannot be instituted immediately, we recommend that all internal facility doors be unlocked at all times.

Department of Juvenile Services Response:

We have begun the process to change all of the locks and cylinders have been ordered. This process should tentatively be completed by April 30, 2007.

3. The Waxter Center Superintendent should request that the State Fire Marshal perform fire safety inspections and drills on at least a monthly basis.

Department of Juvenile Services Response:

The Superintendent requested assistance from the State Fire Marshal March 16, 2007. They have scheduled a meeting for March 23, 2007 to determine the next steps.

4. A viable behavior modification system should be developed for the population. Staff should be well-trained in that system and in other acceptable alternative behavior control systems to reduce the over-reliance on seclusion as a control mechanism.

Department of Juvenile Services Response:

Because girls do not respond to the typical behavior modification systems, we are currently researching appropriate gender responsive models that are Research Based and Best Practices Models.

5. Until staff members are trained adequately, seclusion should be prohibited in this facility. If a child becomes out of control, that child should be transferred to an appropriate medical facility.

Department of Juvenile Services Response:

The Superintendent has developed a Waxter Policy/Procedure for seclusion, in accordance to COMAR regulations, for the girls in the program. Once this policy/procedure is approved, we will share it with the monitor. Until such time, only youth approved by the Superintendent will be secluded on short term basis.

6. The rated population of the facility should be determined in part by the number of staff available to supervise them. As long as Waxter suffers from chronic staff shortages, the rated population should be reduced to meet acceptable staff/youth ratios. These ratios must take into consideration the challenges presented by the architecture of the physical plant. The Center should not accept new residents beyond its rated population limit.

Department of Juvenile Services Response:

The rated population is 68. The average daily population is 40, which is below the rated capacity. We have five staff currently in training and we are looking to hire more staff in the coming months. This should bring our staffing up to the level required for the 1:6 staffing ration for the rated population.

7. The administration should consider bringing in trained mediators or other appropriate crisis management experts to address the ongoing and increasingly violent conflicts among the residents.

Department of Juvenile Services Response:

We are continuing our efforts to develop appropriate crisis management techniques for the staff to engage the youth in. In addition to the crisis management techniques, we are looking to increase programming and develop activities with the input from the girls in the program. This is an ongoing process.

