



Maryland Department of
Juvenile Services
Treating ● Supporting ● Protecting

June 9, 2011

DJS Response

In response to the first quarter reports from the JJMU, DJS has worked with its facility Superintendents and its licensed program providers to provide comments to each report as listed below. DJS appreciates the time and care the JJMU has taken to provide DJS with their findings and has thoughtfully considered the reporting and suggestions provided. We will take corrective action in areas in need of our attention and response.

Throughout the reports, there were some common threads. In the interest of a single, rather than duplicative, response, we submit the following:

- *Staffing:* DJS is committed to safe staffing levels. One of the Secretary's first priorities is to review the staffing plans for all DJS facilities, treatment and detention, to see if and where changes should be made. There is no question that youth who are supervised by an appropriate number of trained, alert and engaged staff are safer themselves and able to stay busier with school, recreation and structured rehabilitative programming.
- *The Good News:* We appreciate that the JJMU has pointed out various ways in which DJS facilities have either maintained or improved performance. The new mental health clinicians at Carter are indeed providing "superior service." The "positive culture" at LESCO is evident and the "Cleanest Unit" and Town Hall concepts there provide youth with opportunities for both rewards and input. We are especially pleased with the installation of an electronic door check "Guard Tour" system at Waxter and the improvement overall of the facility plant and youth areas at Noyes. The Youth Centers were also singled out for programs that "develop self-confidence, increased self-worth and interpersonal skills."
- *Temporary beds or the use of "boats" in our facilities:* Throughout the reports, the JJMU remark on the use of boats for sleeping. While it is ideal for all youth to have a single room with a single bed, there are times where DJS has to house youth in double rooms or sleep them outside of a room on a portable bed due to population spikes. These beds (often referred to as "boats") are molded plastic

forms into which a standard mattress is placed. Bedding in the form of a pillow, sheets and blanket are then provided for the youth. These bunks are used nationwide by adult and juvenile detention centers when extra beds are occasionally necessary in our facilities.

As always, DJS is committed to the youth in our care and we continue to work diligently with an eye toward both the public safety and our youths' success. For ease of review, please reference the JJMU report for each facility or program when reviewing each individual site's response.

DETENTION CENTERS

Alfred Noyes Children's Center (Noyes)

The facility has filled the three RA Supervisor positions and the one RA Trainee position mentioned in the JJMU report as vacancies. Noyes is currently awaiting start dates for ten potential employees at this time and continues to conduct interviews for employment positions.

Incident increases were primarily due to camera installation and more frequent senior management review of videotape than in the same quarter of 2010. The new Superintendent supports this kind of oversight and improvements in practice which will greatly benefit the youth at Noyes.

The Behavior Management Plan (BMP) at Noyes is relatively new and any new program requires time and consistent follow-up to be successful. Noyes' managers continue to train staff to ensure all youth are receiving their required points daily. Shift supervisors randomly review point sheets; those showing a deficiency are corrected. Noyes' goal is for 100% youth buy-in and a strong, incentive-driven BMP. With the current program and the continued coaching of staff, further improvement will be made.

The JJMU list three incident reports indicating inadequate fire safety systems; this is incorrect. Two of these incident reports dealt with fences, not fire safety equipment. The other incident report was a false alarm but was handled well by Noyes staff. They lined youth up for movement outside and conducted counts as required. They expeditiously called the fire department who arrived in less than fifteen minutes and indicated all was well. Follow up by the facility found that it was a simple malfunction; the Fire Department reset the alarm and confirmed it was active and worked perfectly. This was a one-time occurrence during the quarter.

Noyes is compliant with the Fire Marshal's requirements. Copies of all documentation are available to review at any time. The new Superintendent is implementing a Monthly Inspection sheet that will include fire safety checks and will be available for review beginning July 5, 2011. During all fire drills, and where the JJMU refer to emergency evacuations, youth are now taken outside in the secure fenced area where a head count and role call is conducted. During night shifts, all youth are required to line up at their door and are counted and role calls are conducted.

In regards to the youth's clothing being returned in poor condition, this was due to a faulty dryer which has been replaced. What is most important about this and other issues noted was that they were brought to the facility's attention by youth and were quickly addressed by Noyes' management as a part of DJS Youth Grievance System. The efficiency of the grievance system is a strong point for the facility.

DJS reviews its own facilities in regards to Medical Care using independent Registered Nurses (RNs) who are well equipped to give reliable findings as it relates to medical care. Not all DJS facilities have onsite infirmaries but this does not equate into substandard care in any way. Noyes passed its DJS Quality Improvement Review in nearly every area and provides high quality medical care through its physicians, psychiatrists and nursing team. There are no Standards compliance issues with medical care at Noyes.

We appreciate the JJMU's positive comments about the refurbishing of hallways and unit spaces at Noyes. DJS works to maintain and improve our detention center environments whenever possible.

Baltimore City Juvenile Justice Center (BCJJC)

DJS and the JJMU are in agreement about the benefit that the Intensive Services Unit (ISU) has brought in the reduction of youth violence at the facility. The ISU concept, coupled with dedicated staff, has provided a means for BCJJC to separate youth who are not compliant with the Behavior Management Program, work with them on changing their behavior, and transition them back to their units with more tools for a successful stay. We appreciate the JJMU heralding BCJJC's success.

"Unabated Conditions"

1. BCJJC is fortunate to have an excellent school, mental health care, medical care and recreational and rehabilitative activities. BCJJC provides these services to youth for as long as they are with us and as determined by the Court.
2. Pending placement status is determined by a number of factors of which the JJMU are aware. Youth who are pending placement receive all services they need while at BCJJC.

3. Overpopulation in detention often leads to overpopulation in Orientation. That said, BCJJC has a rated capacity of 120 and averaged 117 youth this quarter.
4. Special education youth are targeted to ensure educational requirements for these youth are met. Often Orientation youth are only at BCJJC for a few days or overnight, therefore the services they would receive would consequently be limited.
5. The video storage capability to store every minute of footage at a large detention center for one year is not necessary or feasible. When an incident requires investigation, the Office of the Inspector General (OIG) investigators make a copy of the footage on a disc and preserve that for any future review, even beyond one year.

Charles H. Hickey Jr. School (Hickey)

Hickey currently does not have video camera surveillance in the residence halls or the school building but is currently first on the list to have video surveillance installed throughout the facility. The vendor conducted a site visit in May 2011.

The summary on the youth in question did not inaccurately report on the work done by Hickey's mental health and management team in this youth's case. The following provides additional detail and clarification.

The youth in question had been involved in a number of incidents at Hickey, most of them violent, to include group disturbances and staff assaults. On 4/7/11, the mental health and facility teams met after he was suspended from school to draft a plan to assess him and protect the rest of the youth and staff. Just before they were to move him to Ford Hall, he broke a sprinkler in his room, causing it to release water. He was removed from his unit and placed on Ford Hall due to the violent incidents and not because he broke the sprinkler.

The monitor writes that he was not permitted to give "a statement in his own defense." The youth's statement is dated 4/7/11 and is attached to the incident report in this case (#11-91042).

The facility's mental health team created individual Behavior Plans for this youth so that they could ease him from Ford Hall back into a unit with other peers safely. Those Behavior Plans that Hickey's Mental Health team formulated (comprised of Ph.D. psychologists and Licensed Clinical Social Workers) have been reviewed by DJS' Director of Mental Health. The plans were specific; the youth was guiding his own treatment and recognized his needs, which were good signs. Following the review, they were not found to be arbitrary. The components of his Behavior Plans did not in any way violate DJS policies in regards to seclusion or deprivation of required services.

Hickey's Mental Health clinicians and the facility leadership meet on individual youth and craft individual plans for them. Youth who are not responding to the facility-wide Behavior Management Plan receive individual plans tailored to them. These are implemented to address the area of 'Protection From Harm.' We must ensure our facility safely cares for both youth and staff. In reviewing the very short term nature of this plan (one week, from April 8th to April 15th) and the stepping up of time with a unit (4 hours on April 14th, 8 hours on April 15th {he told them he was going to punch a youth in the face on the 15th and he asked if they would take him back to Ford, which they did} and then full days with a unit of youth on the 16th and 17th with return to unit full time on the 18th) everything responsible was done in this case to protect both this youth and others from harm.

On 4/12/11, the youth was secluded but it was not due to his Behavior Plan; it was due to a very aggressive staff assault he had just been involved in (Incident Report # is 11-0285). The facts show a clear need for seclusion. Upon his release from seclusion, the door to the unit, not his room, was locked to ensure he didn't run out and attack staff (as he had just done) but his 1:1 staff stayed with him and his room door was open.

The monitor writes that he was not allowed to go to school. He was suspended for three days due to his behavior in school and the next three days were Professional Development Days for teachers where no youth went to school. Regardless, he received packets of work from school to complete.

The monitor writes that he was locked in his room from 8pm to 6am each night. Every youth in detention, unless on good behavior levels that allow later bedtimes, is locked in for bed from 8pm to 6am each night.

The monitor writes that he was not allowed books, games, radio or any personal items. He had a radio, TV, movies and cards and all are well-documented in logbook entries.

The monitor also writes that he had no contact with any other student until April 14th. The violent assaults with which he was involved precluded contact with other youth until he was able to manage himself. Logbooks indicate he not only received recreation indoors and outdoors, meals and snacks, education, medical care, leisure time and mental health counseling and journaling, but he spoke regularly to administrators, shift commanders, his mother, his case manager, and received 1:1 staff attention and "therapeutic walks" (his words) with staff outside. He received six phone calls home in a six day period. This youth likely had more one-to-one attention than any youth in the entire facility.

The Youth Advocate met with him on 4/12/11; the Advocate had no concerns nor did the youth. The youth filed no formal grievances that week. The only one he has filed is about getting his tooth repaired (a problem that existed before he was ever at Hickey); the Nurse Supervisor indicated they were trying to see if they could get it repaired

before he goes to placement. Though this was a cosmetic procedure and rejected by his insurance, Hickey was working to get it repaired so that he could have a more suitable smile and better his chances at future job interviews and success.

This youth at Hickey was interviewed by a DJS executive on 4/11/11. The youth indicated no concerns about how he was treated in the prior week, indicated he got all recreation, meals and snacks, showers and supplies, and good 1:1 care by several different staff in the prior week. When he was interviewed, he was in class with Roosevelt Unit and was having a successful Monday.

DJS is not a licensed program so the COMAR citation of 14.31.06.15 does not apply to a DJS facility; regardless, it was not violated. Seclusion in this case was for two hours, not the 72 hour maximum listed in the COMAR citation. The CPM policy and DJS Detention Standards were also not violated for the reasons indicated above.

DJS has an obligation to protect all youth and staff. In doing so we must balance the needs of the individual youth with the safety of the group.

The JJMU notes that a fire safety inspection found a non-working fire alarm system in Building 7, no sprinkler protection in the old Administration building and no certification that the sprinkler systems meet standards. The fire alarm system in Building 7 was corrected on September 2, 2010, however it is not a part of Hickey's detention center. It is occupied by Chesapeake Treatment Center, a private provider. One additional sprinkler head is needed in the accounting area of the old Administration building and there is a contract for an updated fire alarm system there (anticipated completion date is September 1, 2011.) However no youth reside in or are ever occupying this building which is outside Hickey's fence. Hickey passed the Fire Marshal's inspection.

A violation of the Standards of Conduct in the case of IR# 11-89433 was sustained for personal conduct and not child abuse.

Cheltenham Youth Facility (CYF)

The Regional Director and facility work hand-in-hand to communicate about population spikes and move youth when necessary to avoid overcrowding.

Cameras for the school are on a work order to be installed after Hickey has its cameras installed. Emergency buttons have been placed on all phones in all educational classrooms at CYF. If pressed, an alert goes to the gatehouse where staff then directs security and administration staff to respond to the trouble area.

In regards to staffing at CYF, 19 RAs began work during the first quarter of 2011 with

5 more starting in June. Three others successfully completed pre-screening recently. CYF is actively interviewing and attempting to fill vacant positions to alleviate staffing shortages. The facility also ensures progressive discipline for staff who are late or who do not comply with their assigned work schedule. When staffing levels are optimum, further programming can be implemented.

Cottage Managers have been tasked to ensure that inspections are being conducted and that cottages are properly cleaned at all times. Cottage managers have also been instructed to remove excess materials from cottages and place them in the warehouse. DJS agrees the buildings are old and we appreciate that the JJMU remark positively on the ways our facility staff have improved the living areas for our youth.

In regards to grievances about youth phone calls, the Metro Regional Director assigned two community case managers to assist with ensuring all youth receive phone calls as required by DJS policy. In a review of phone call logs this month, three of four units were in compliance with phone calls with progress being made in the fourth unit. The Case Manager Supervisor is required to review phone call compliance each Friday.

We agree that the ISU concept is working well at BCJJC, however that facility is structured so that an ISU is feasible using one small unit and transitioning into another small unit. CYF's larger cottages might provide a challenge for this reason, as an ISU would be quite large if one cottage were dedicated in this way. DJS has considered the expansion of the ISU concept to any detention center where it can be replicated with success and will continue to consider if, with the current structure of CYF, this is possible.

“Unabated Conditions”:

1. DJS is working to alleviate the population surge that was ongoing during the first quarter via detention reviews and prioritization by the Regional Director.
2. The rated capacity issue will be brought to the attention of the new Deputy Secretary of Operations.
3. The re-opening of the Shelter and the expensive installation of sprinklers that would be required is not feasible at this time due to budget constraints. However all facility properties are being reviewed for use by the Secretary including the Shelter. Any re-opening of the Shelter would be communicated to the JJMU.

J. DeWeese Carter Center (Carter)

We appreciate the many positive remarks about the facility, its staff and education provision at the Carter Center. Carter has continued to do exceptionally well in DJS' internal QI Reviews, the population remains at 15 or below and MSDE has been an exceptional partner; we agree with the JJMU's assessments in these areas.

Lower Eastern Shore Children's Center (LESCC)

The JJMU write that LESCC is known for its "positive culture." DJS agrees. The facility is led by an experienced Superintendent and seasoned Group Life staff who work well with our youth. The facility promotes a calm environment with a solid educational component. Fire drills are conducted as required.

Though the JJMU recommend a Governor's Office of Children (GOC) approved training curriculum in their recommendations, they acknowledge that GOC is not the approving body for DJS' training curriculum; the Maryland Correctional Training Commission (MCTC) is that body. DJS' training curriculum is approved by MCTC as is required.

Waxter Children's Center (Waxter)

Regarding classification of girls at Waxter, currently the facility is comprised of three housing units; the Long Term Secure program (A-Unit) is not a detention unit but a placement unit; we therefore cannot consider placement of detained youth there as an option. This program houses only those young women committed to the Department and suitable for the program (the current capacity is 12); the unit classifies youth as low, medium or high classification.

The second unit is a dormitory unit (C-Unit) and houses those youth who score low on the classification assessment (the current capacity is 12). The third unit (B- Unit) has 14 individual sleeping rooms and a 6 bed dorm. This unit houses girls who score a Medium or High on the classification assessment. The 14 rooms are currently classified as either High or Medium.

In response to the report on the Behavior Management program at Waxter, the education staff and group life staff are currently developing a revision that both supports behavior management and increased participation in school.

The monitor indicates that mentally ill youth should not be housed at Waxter. Girls who are deemed to be psychotic or have a psychiatric diagnosis that is not manageable at Waxter are immediately referred for hospitalization by on-staff clinicians. Some girls who do have diagnoses (such as ADHD) are well-managed by the clinicians and staff.

The sick call issues at Waxter were discovered and brought to the facility's attention by DJS' QI Medical Reviewer during a review. The medical staff has addressed the problem.

DJS has plans to assess all of its treatment programs including the Growing Great Girls program through the use of comprehensive Quality Improvement reviews such as have

been occurring at DJS' detention centers. Positive youth outcomes, fidelity to treatment model and treatment planning and recidivism will all be taken into account to judge the effectiveness of both the Long Term Secure Program and all DJS treatment facilities.

DJS is aware of the increasing number of incidents in the facility and is addressing it through modifying the BMP and increasing oversight from DJS headquarters leadership.

Western Maryland Children's Center (WMCC)

The facility does thoroughly clean the boats and mattresses as necessary. All youth on the Pod have a personal box to store hygiene and approved personal items in a locked area. Bedding in the form of a pillow, sheets and blanket are then provided for the youth. These bunks are used nationwide by adult and juvenile detention centers when extra beds are necessary.

In regards to vocational programming, in addition to the Serve-Safe program mentioned in this report, MSDE is also training staff for an OSHA 10 certificate. This will allow this staff to provide quarterly OSHA 10 sessions for students interested.

With regard to staff restraints, the Superintendent reviews all incidents on video: the number and type of restraints the monitor indicates have gone down significantly because of this strong internal oversight.

TREATMENT CENTERS

Backbone Mountain Youth Center, Green Ridge Youth Center, Meadow Mountain Youth Center and Savage Mountain Youth Center

The JJMU assert that youth are inappropriately placed at the Youth Centers or are admitted after appeal. Since March 2011, the Director of Behavioral Health has been reviewing admission packets for youth in order to bring expert consultation to the admissions process so that DJS is certain that our treatment facilities have the capacity to appropriately address a youth's mental health needs. Appeals are a normal part of DJS' admission process as youth who are rejected often deserve a second look to see if they could be successful in a program.

Though it is the case that nine youth were transferred from Savage Mountain Youth Center back to detention, six of those youth were transferred at the same time, same date, and for the same incident. See Incident Report #88176.

Though incidents increased at two Youth Centers as indicated in the JJMU report, incidents decreased at the other two Youth Centers; this was not mentioned but is notable.

Video surveillance additions are being budgeted. DJS is installing cameras as budget permits in facilities with the greatest need first.

All youth have adequate clothing and if a youth needs something it is replaced out of current inventory/supply immediately. In addition, the Centers have various methods (including clothing supply forms the youth can complete themselves) that ensure youth have what they need. DJS did look into whether youth are complaining about a lack of supplies, but out of the 164 beds at all four Youth Centers over the course of the first quarter, there was only 1 youth grievance in February and 1 grievance in March relating to clothing or shoes which were addressed. If there are specific instances that DJS should be made aware of beyond these two youth complaints, we welcome that information.

Victor Cullen Center (VCC)

The JJMU assert that youth are inappropriately placed at VCC. As with the Youth Centers, since March 2011 the Director of Behavioral Health has been reviewing admission packets for youth in order to bring expert consultation to the admissions process so that DJS is certain that our treatment facilities have the capacity to appropriately address a youth's mental health needs.

William Donald Schaefer House (WDSH)

In response to the report's recommendations regarding the basement area, the leadership at WDSH brought this to DJS' maintenance staff's attention. Work orders have been completed and now are being reviewed for the remodeling of the basement at WDSH.

There are very few youth at WDSH so providing vocational options for so few, in addition to the school they already are required to attend, may not be feasible; however it is an excellent suggestion and DJS' education department will look further into possible options. Youth do have recreational options but more are currently under discussion.

LICENSED PROGRAMS

Allegany County Girls Group Home

“Unabated Conditions”:

Bids have been received for the repair/replacement of the sunroom at the Allegany County Girl’s Group Home.

Aunt CC’s Harbor House

Temperatures for refrigerators and freezers are now checked daily. All thermometers are tested and work properly. All food items with a past due date or that were dented were discarded and the Program will continue to monitor all items for shelf life and freezer life accordingly to the Child Nutrition guidelines.

Since the facility has central air conditioning and heating, the windows are very seldom opened, which had caused them to stick. As part of the security checklist, the windows are now checked to ensure that they are secured.

Graff Shelter

All “partial compliance” areas noted by DJS were resolved. We appreciate that the JJMU believes the program should be considered a model worthy of replication.

Karma Academy - Randallstown

The principal reason for the marked increase in incidents was due to two youth who were placed in the program during the end of the fourth quarter of 2010 and first quarter of 2011.

The boys at Karma are provided with recreational activities such as basketball/football outdoors (weather-permitting), weightlifting, reading, board games, cards, books, video games, and movies. Youth are given opportunities in three different areas of vocational interest, including food preparation, building maintenance and custodial duties as well as recreational activity planning for weekend trips and other activities. Each youth spends time in each of these areas. Staff assists youth in developing a resume prior to successful discharge, which includes their work in the three areas mentioned.

Emergency Fire Drills and Vehicle Checklists are now being done according to policy by the new Program Administrator. Karma does comply with DJS Corrective Action Plan requirements.

Kent Youth Boys Home

Kent Youth hopes to be able to fund a camera system by the end of August 2011.

Morning Star/Vision Quest

The program continues to look into the issue of post GED/College Prep and Vocational courses. It is the program's goal to institute online courses by the end of the summer.

Silver Oak Academy

Silver Oak Academy (SOA) appreciates the JJMU's findings of compliance in the areas of incident reporting, education, medical care and recreational programming. SOA strives to provide all youth with a structured, rehabilitative program that includes both positive staff and a rich array of activities. Security cameras are not a part of SOA's physical plant; however active supervision and reporting by staff are enhanced by adherence to internal and DJS incident reporting policies. The JJMU's indications that youth should continue to be referred to SOA are a welcome recommendation.

The Way Home

The Way Home will be referred to the DJS Training Division for Gender Responsive Training.