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

**2016 FIRST QUARTER REPORT**

## **The Maryland Juvenile Justice Monitoring Unit (JJMU)**

The mission of the Maryland Juvenile Justice Monitoring Unit (JJMU) is to promote the positive transformation of the juvenile justice system to meet the needs of Maryland's youth, families and communities. This mission is accomplished by collaborating with all who are involved with the juvenile justice system.

The JJMU is responsible for reporting on Maryland Department of Juvenile Services (DJS/the Department) operated and licensed programs across the state. Monitors from the unit conduct unannounced facility visits to guard against abuse and ensure youth receive appropriate treatment and services.

## **JJMU 2016 First Quarter Report Compendium**

The JJMU issues public reports covering each calendar quarter. Enclosed please find the compilation of 2016 first quarter reports from the Maryland Juvenile Justice Monitoring Unit. This report compendium provides data and analysis concerning treatment of and services provided to youth in DJS directly run and licensed facilities throughout Maryland.

The Department of Juvenile Services' response and a response from the Maryland State Department of Education are included, as indicated on the contents page.

The JJMU 2016 First Quarter Report was produced by Margi Joshi, Nick Moroney, Tim Snyder and Eliza Steele. Thanks to Taran Henley, Terri Jarman, Fritz Schantz, and Maria Welker for technical assistance.

We respectfully submit this report to the Governor, members of the General Assembly, the Secretary of Juvenile Services, and members of the State Advisory Board for Juvenile Services as required under Maryland law.

Current and prior reports of the Maryland Juvenile Justice Monitoring Unit and related responses are available through our website at [www.oag.state.md.us/jjmu](http://www.oag.state.md.us/jjmu).



**NICK MORONEY**  
*Director*

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

May 2016

The Honorable Lawrence J. Hogan, Jr., Governor  
State of Maryland

The Honorable Thomas V. Mike Miller, Jr., President of the Senate  
Maryland General Assembly

The Honorable Michael E. Busch, Speaker of the House of Delegates  
Maryland General Assembly

Members of the General Assembly

The Honorable Sam J. Abed, Secretary  
Department of Juvenile Services

The Honorable Arlene F. Lee, Executive Director  
Governor's Office for Children

Members of the State Advisory Board for Juvenile Services  
c/o Department of Juvenile Services

Dear Governor Hogan, Senate President Miller, Speaker of the House Busch, Members of the General Assembly, Secretary Abed, Director Lee, and State Advisory Board Members:

At the Victor Cullen Center there is an unsafe culture and no cohesive treatment program (pages 3 -11). As noted in the 2015 Annual Report, concerns about safety should be prioritized and considered a vital step towards the overall goal of creating a treatment milieu at Cullen.

The Department should intensify efforts to keep children out of detention centers and in communities rather than out-of-home placements. Placement in a residential facility should be reserved for high-risk, serious juvenile offenders who have exhausted community-based alternatives.

During the first quarter, the Department indicated that that the William Donald Schaefer House – a short-term, substance abuse treatment center in Baltimore City – will close at the end of June (page 38). Youth will instead be sent further away from home for a longer period to one of the four youth centers in western Maryland.

This approach is counter to research which shows that kids do better when they are closer to home. Rather than closing William Donald Schaefer House and sending kids to remote facilities, the Department should be ensuring that all youth have access to treatment services in their communities.

Respectfully submitted,

*Nick Moroney*

Nick Moroney  
Director  
Maryland Juvenile Justice Monitoring Unit

Cc: Attorney General Brian Frosh  
Chief Deputy Attorney General Elizabeth Harris  
Deputy Attorney General Thiruvendran Vignarajah  
Ms. Christine Buckley, Treasurer's Office  
Deputy Secretary Linda McWilliams, Mr. Karl Pothier and Mr. Jay Cleary, DJS  
Margi Joshi, Tim Snyder and Eliza Steele, JJMU

# JUVENILE JUSTICE MONITORING UNIT 2016 FIRST QUARTER REPORT

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## Incident and Population Trends

First quarter 2016 population and incident trends versus the same time last year:

- ✓ Average daily populations (ADP) of youth in secure detention centers decreased at BCJJC, CYF, Waxter, Noyes, and LESCC and in committed placement centers at Carter, Cullen, and SOA.
  - ✓ Fights and assaults decreased in secure detention at Hickey and Noyes, and in committed placement at SOA.
  - ✓ Physical restraints decreased in secure detention at Noyes, and in committed placement at Cullen and SOA.
  - ✓ Mechanical restraints were not used in secure detention at LESCC or in committed placement at Carter. The use of mechanical restraints decreased in secure detention at BCJJC, Hickey, Noyes, and WMCC, and in committed placement at Cullen.
  - ✓ Seclusion was not used in secure detention at CYF and was utilized twice at WMCC, and once at LESCC. The use of seclusion decreased in secure detention at Hickey. Seclusions decreased in committed placement at Cullen.
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- ADP increased in secure detention at Hickey and WMCC and in committed placement at the four youth centers.
  - Fights and assaults increased in secure detention at BCJJC, CYF, WMCC, and LESCC, and in committed placement at Carter, Cullen, and the four youth centers.
  - Physical restraints increased in secure detention at BCJJC, CYF, Waxter, Hickey, WMCC, and LESCC and in committed placement at Carter and the four youth centers.
  - Mechanical restraints increased in secure detention at CYF and Waxter.
  - Seclusion increased in detention at BCJJC, Waxter, and Noyes, and in committed placement at Carter.
  - There were 85 incidents of suicide ideation and 18 incidents of self-injurious behavior at DJS-operated facilities during the quarter. Forty-two percent of incidents involving suicide ideation occurred at Waxter maximum security detention center for girls.

### Secure detention centers

#### Short term/pre-disposition/pending placement

- Baltimore City Juvenile Justice Center (BCJJC)
- Cheltenham Youth Facility (CYF)
- Charles H. Hickey, Jr., School (Hickey)
- Thomas J.S. Waxter Children's Center (Waxter)
- Alfred D. Noyes Children's Center (Noyes)
- Western Maryland Children's Center (WMCC)
- Lower Eastern Shore Children's Center (LESCC)

### Committed placement centers

#### Long term/post-disposition

- Victor Cullen Center (Cullen)
- J. DeWeese Carter Center (Carter)
- Backbone Mountain, Green Ridge, Savage Mountain, Meadow Mountain youth centers (Four youth centers)
- Silver Oak Academy (SOA)

# VICTOR CULLEN CENTER

## **Victor Cullen Center**

The Victor Cullen Center (Cullen), in Frederick County, is a maximum security committed placement center owned and operated by the Maryland Department of Juvenile Services (DJS/the Department). The DJS-rated housing capacity is 48 boys. African American youth represented 82% of total entries during the first quarter of 2016, compared to 80% during the same period last year.

### **Lack of Safety and Security**

Several youth describe their experience at Victor Cullen as “doing time.” A lack of a cohesive treatment program, insufficient educational programming and a dearth of structured recreational activities have led to an extremely unsafe culture that includes bullying and intimidation, group fights, suspected gang activity, and a generally unstable environment. These concerns have become exacerbated over the past nine months. Management has lacked direction in response to these problems.

Issues with safety, security, and supervision of youth remained of great concern during the first quarter of 2016. The average daily population at Cullen during the first quarter of 2016 decreased by 9% compared to the same period last year, while fights and assaults increased by 31%.

There was an alleged sexual assault of a youth in February (134569) and Maryland State Police responded to a large group disturbance in March (135133). (These incidents are detailed on pages 5 and 6.)

The chart on the next page shows selected incident categories for Victor Cullen during the first quarter of 2016 compared to the same period in the previous two years. While fights and assaults increased, physical restraints, mechanical restraints, and seclusions decreased by 19%, 11%, and 28%, respectively.

<b>Victor Cullen – Selected Incident Categories</b>	<b>Q1 2014</b>	<b>Q1 2015</b>	<b>Q1 2016</b>
<b>Average Daily Population (ADP)</b>	<b>46</b>	<b>35</b>	<b>32</b>
1. Youth on Youth Assault/Fight	23	16	21
2. Alleged Youth on Staff Assault	4	4	7
3. Physical Restraint	60	63	51
4. Use of Handcuffs and/or Shackles	36	53	47
5. Seclusion	16	40	29
6. Contraband	2	3	7
7. Suicide Ideation	1	20	3
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	0	1

Several incidents of aggression occurred at least partly as a result of failed staff supervision. These included the alleged sexual assault of a youth (134569); a group of youth fighting in a bathroom (133857); and other situations where inadequate staff supervision may have led to incidents of aggression that resulted in youth injury. In incident 134116, staff were unaware that a youth had been assaulted until they saw that he had “blood on his face and a cut under his eye” when they checked on him in his cell in the morning.

In incident 134956, a youth alleged that staff allowed him and another youth to fight in a cell for about 18 minutes. The youth “had a scratch on his neck and a bloody t-shirt as evidence.” The Department did not contact Child Protective Services in regard to suspected child neglect. The DJS internal investigative body – Office of the Inspector General (OIG) – did not investigate the incident. Management at Victor Cullen investigated the incident and the staffer no longer works for the Department. All DJS employees are statutorily mandated to report alleged child abuse and neglect to local departments of Child Protective Services (CPS). In addition to being reported to CPS, all incidents involving alleged abuse and neglect should be formally investigated by the Department’s Office of the Inspector General (OIG).

On a monitoring visit near the end of the first quarter, a youth remarked, Victor Cullen “is a juvenile jail isn’t it? It’s like an adult prison.” The overall lack of consistent structure and negative interactions between staff and youth led to instances of particularly unsafe and chaotic conditions, such as incidents 135133, 134316, 134409, 135808, and 133711. In these cases, incidents of aggression escalated significantly when some youth were able to interfere with staff attempts to physically restrain other youth who were involved in fights.

### **Alleged sexual assault**

Video footage from incident 134569 shows one staff from the overnight shift on the back hallway of a living unit where youth were still locked in their cells during sleeping hours. In the morning, the overnight staffer let three youth out of their cells ahead of schedule. The youth walked freely up and down the hallway and in and out of each other’s cells.

A fourth youth was then also let out of his cell. The three youth who were first let out congregated in one cell and summoned the fourth boy into the same cell. The door was closed and a towel was placed over the window of the door, obstructing the view into the cell from the hallway. The fourth youth was allegedly sexually assaulted with a water bottle in the cell.

The overnight staffer passed by the door with the window obstructed by the towel at least twice. Another staff arrived in the hallway and also walked by the door and saw the window obstructed. Neither staff took any action to remove the towel or enter the room at this time.

Eventually the second staffer forced his way into the cell and the youth exited. Other staffers arrived and gathered outside the cell before moving all of the youth to school, with the exception of one of the three alleged aggressors who remained on the unit with the overnight staffer.

The overnight staffer then retrieved a mop and bucket from the other end of the hallway. He and the youth entered the cell with the mop and bucket and the youth left shortly after, leaving the staffer in the cell with the cleaning equipment.

The Department contacted Frederick County Child Protective Services to report the incident as a possible case of child abuse or neglect. However, the case was not accepted for investigation by CPS because the alleged victim was over 18 years old. State law should be changed to ensure that all youth in DJS facilities are protected under the statute governing child abuse and neglect.

### **Group disturbance requiring law enforcement**

In incident 135133, youth from one living unit were in the gym for recreation while another group was walking to the dining hall. One youth left the gym through a back door that was left open. According to the incident report, two staffers who were outside noticed the youth outside and led him back to his group in the gym. Lax supervision led to a situation where the remaining youth in the gym rushed another staffer who was posted at the door and ran towards the group that was outside moving to the dining hall.

Video footage shows multiple fights between youth break out. According to the incident report, some kids assaulted staff or interfered in staff attempts to physically restrain youth. The incident report also states that other youth attempted to prevent staff from intervening by throwing rocks and bricks and that one youth swung a staff radio in an effort to stop a staff from restraining another youth. During the melee, “the Maryland State Police were called to assist because staff were outnumbered,” according to the incident report.

Before the police arrived, video footage shows that one group of youth and staff arrived back on a unit and sat down or wandered around the dayroom. There were no attempts by staff to organize youth or move them to their cells.

After several minutes, the police arrived on the unit where the youth and staff were still sitting and standing around. Video footage shows that police then began directing youth to their cells. As the police and staff corralled the youth down the hallway where the cells are located, a group disturbance erupted and several youth were restrained by DJS staff and state police. Eventually all youth were secured in their cells and held in seclusion.

The Department’s internal investigatory unit – the Office of the Inspector General (OIG) – investigated the incident. According to the OIG investigation, youth reported that the incident occurred in part because at Victor Cullen, “it’s unit against unit” and that the “two units’ dislike for one another” has “always been a problem.”

### **Lack of Structured Activities**

There is very little organized, constructive programming for youth at Victor Cullen. As a result of insufficient programming, youth are left unengaged for prolonged periods, especially on weekends. Excessive downtime can lead to incidents of aggression and has likely contributed to the negative culture at Victor Cullen. According to the OIG investigation into the group disturbance described above, youth reported that the incident occurred in part because the “cottages were bored and the fight was something to do.”

Administrators at DJS headquarters must address the lack of programming by ensuring that a full schedule of structured activities is established and maintained. The Department should provide funding for a wide range of constructive recreational programs at Victor Cullen.

The weight room at Victor Cullen has not been in use because of loose pieces of wood that could pose a security risk. Maintenance to the weight room should go forward without delay and administrators should see that regular upkeep takes place to ensure maximum utilization of all on-grounds opportunities for recreation.

## **Insufficient Educational Programming**

The Maryland State Department of Education, Juvenile Services Education (MSDE-JSE) division operates the school at Victor Cullen. There are ongoing gaps in educational services and the problem of MSDE-JSE staff attrition has not been addressed.<sup>1</sup>

Teacher vacancies prevented comprehensive teacher instruction during the quarter for youth on the Intensive Services Unit (a self-contained living unit for youth allegedly struggling with issues of aggression). Vocational education courses are not currently available also due to a staffing vacancy.

There is no post-secondary education program for youth who have earned a high school diploma or GED. The Department of Juvenile Services and MSDE should establish a formal agreement with local community colleges to ensure consistent youth access to comprehensive vocational and post-secondary education options.

See the MSDE-JSE section beginning on page 39 for more information about education services in DJS facilities.

## **No Cohesive Treatment Program**

There is no cohesive, evidence-based treatment program at Victor Cullen (or any other DJS operated facility). The Department relies on a points and levels behavior management system that is neither evidence-based, nor grounded in a treatment model. Staff are trained to enforce the behavior management system, which entails awarding a limited number of points and weekly rewards like snacks and hygiene products for certain positive behaviors, and issuing prompts, warnings, personal restrictions, and/or behavior reports in response to negative behaviors.

The behavior management system does not incorporate strategies to help address the mental health or trauma related challenges that many youth in DJS facilities are likely facing and it instructs staff to take steps that can arguably serve to escalate a situation and trigger a negative reaction in youth.<sup>2</sup> Some staff refrain from consistently enforcing the behavior management system and may give the impression that they are fearful of the kids. According to a youth statement in the OIG investigation into incident 135133, “many of the staff were afraid of the youth and could not control” them. This lack of consistency further exacerbates the lack of structure at Cullen. In the same investigation, one staffer commented, in reference to Victor Cullen, that “everyday it’s different here.”

Individual and group dynamics suffer without the implementation of a proven treatment model that promotes consistent therapeutic intervention with youth. For example, it has been common practice at Victor Cullen to avoid attempting to resolve conflicts between youth and

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<sup>1</sup> JJMU 2015 Fourth Quarter Report and Annual Review, p. 9.  
[https://www.oag.state.md.us/jjmu/reports/JJMU\\_2015\\_Annual.pdf](https://www.oag.state.md.us/jjmu/reports/JJMU_2015_Annual.pdf)

<sup>2</sup> JJMU 2015 Fourth Quarter Report and Annual Review, p. 7.  
[https://www.oag.state.md.us/jjmu/reports/JJMU\\_2015\\_Annual.pdf](https://www.oag.state.md.us/jjmu/reports/JJMU_2015_Annual.pdf)

instead rearranging their housing assignments in response to a fight. By taking this approach, staff and administrators miss a critical opportunity for youth to learn positive and effective conflict resolution skills and address the underlying issues that may fuel aggression or discord.

The group disturbance (see pages 5 and 6) was - at least in part - driven by “ongoing problems” between several youth on two different units. According to the OIG investigation, most of the youth on one of the units involved “were placed on that particular unit because they had been targeted by other youth; either placed on contracts, jumped or threatened.”

The lack of a treatment program also leaves staff without a therapeutic framework to guide their routine interactions with youth. The result, as observed on monitoring visits throughout the quarter, can be a lax atmosphere where staff do not effectively respond to youth behavior and, in some cases, model inappropriate conduct.

The Department should implement an evidence-based, trauma-informed treatment program at Victor Cullen (and at all DJS facilities) without delay. All staff should be trained to help implement the model through consistent, therapeutic interactions with youth. Administrators should work closely with staff to support their efforts to build a therapeutic culture through positive reinforcement and modeling appropriate behavior.

### **Unsafe Culture**

Ongoing deficiencies in treatment, educational, and recreational programming have culminated in a negative culture at Victor Cullen that includes bullying and intimidation, and suspected gang activity. During the quarter, a youth commented, in reference to such activity at Victor Cullen, that “you either get with it or get jumped.” Youth have allegedly been “put on contract” to surrender their food or face physical violence or other forms of harassment from other youth. According to the OIG investigation into the group disturbance described above, a youth stated that it is “common knowledge at the Victor Cullen Center” that certain living units are “run by” particular gangs.

These dynamics are reinforced by a lack of individualized treatment, inadequate staff training and insufficient activities programming, and they underscore the need for a complete overhaul of the Department’s approach at Victor Cullen.

In addition to establishing a safe environment through treatment, educational, and recreational programming, the Department should devote specific, individualized attention to youth who may be involved in gangs. Interventions should aim to help youth identify issues that may have led to gang involvement and should also aim to support their pursuit of alternatives like educational and professional training while in placement and in aftercare.

### **Intensive Services Unit**

The Department created an Intensive Services Unit (ISU) at Victor Cullen in 2015 to house certain youth facing issues of aggression who administrators decide are in need of more individualized attention.

In general, youth remain on the ISU unit throughout the day except if they go to the gym for recreation or to the medical unit. Although Victor Cullen is surrounded by a high security fence, ISU youth are handcuffed whenever they leave the unit to move within the facility. This utilization of handcuffs is counter to DJS policy which states that Crisis Prevention Management techniques – which include mechanical restraints – can only be used as a last resort to “protect or prevent a youth from imminent injury to self and others or to prevent overt attempts at escape.”<sup>3</sup>

At certain points during the quarter, youth were also handcuffed when they were let out of their cells to use the bathroom (incident 135409). The Department indicated that mechanical restraints were used in these instances because some youth were able to kick open the doors to other youths’ cells. The Department should resolve the issue of insecure door locks to help ensure youth safety instead of handcuffing youth when they walk to the bathroom.

Youth on the ISU do not earn points or levels through the behavior management system and are excluded from earning tangible rewards for positive behavior. Youth remain on the ISU until they meet certain behavioral criteria and complete a journaling assignment, which generally takes about two weeks.

The ISU is designed to be a temporary housing assignment where youth are placed following involvement in incidents of aggression. During the quarter, the Department moved a youth from a regular housing unit to the ISU and decided he would stay there for the remainder of his placement at Victor Cullen. The youth had previously escaped from a detention center and the Department alleged that he was planning to escape from Victor Cullen. He was permitted to earn points and levels through the behavior management system (thereby avoiding an interference with his length of stay) but was not allowed to return to the general population even though he met the ISU step-down criteria and would have otherwise been eligible to return to a regular living unit. He had already earned his GED and did not have access to any educational or vocational programming on the ISU during the quarter.

This utilization of the ISU does not accord with research into adolescent development which indicates youth are particularly attuned to the notion of fairness.<sup>4</sup> The youth was held indefinitely on a restrictive unit without any due process. The Department should ensure that the ISU serves only as a short term, therapeutically intensive intervention for youth struggling with issues of aggression.

In general, the ISU should be a particularly stable environment that incorporates increased therapeutic programming and little downtime. However, challenges related to establishing a structured environment also exist on the ISU at Victor Cullen and youth and staff on the ISU reported that requirements regarding a mandated daily hour of large muscle exercise for youth were not always met during the quarter. Administrators at DJS headquarters indicate that documentation shows there were five days during a two-week period in March when the hour of large muscle recreation took place on the living unit instead of the gym. Youth should be

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<sup>3</sup> Md. Dept. of Juvenile Services Policy and Procedure RF-02-07

<sup>4</sup> Bonnie, R.J., Johnson, R.L., Chemers, B.M., & Schuck, J.A. (2013) Reforming juvenile justice: A developmental approach. P.187. Washington DC: National Research Council.

engaged throughout the day and ISU staff should demonstrate expertise in establishing and maintaining a structured environment. The ISU at Cheltenham Youth Facility, which incorporates close collaboration with mental health staff, could serve as a model for Victor Cullen.

When there is insufficient teaching staff available, youth on the ISU may receive packets of schoolwork to complete without teacher instruction. During the quarter, there were two youth on the ISU who had previously earned their GED. However, they did not participate in any structured educational or professional training during school hours. Youth on the ISU who could benefit from technology-based learning or participate in computer literacy classes like Office Systems Management do not have access to such resources as a result of their confinement. The Department and MSDE-JSE should develop a plan to bring youth from the ISU to the school building for education.

### **Recommendations**

To improve conditions at Victor Cullen, the Department will need to develop and ensure the implementation of:

- basic safety measures like comprehensive supervision of youth and staff consistency when interacting with youth;
- a robust schedule of structured recreational and educational programming;
- a therapeutic milieu through comprehensive adoption of an evidence-based, trauma-informed treatment model.

Effective management is necessary for these changes to be realized and in order to support direct-care staff as they work to help create and maintain a positive culture. The population should be minimized and the issues described above should be addressed without delay in order to promote a safe environment.

Research shows that secure placement should not be used except for the small number of youth “who pose a threat to public safety, account for a disproportionate share of all serious crimes committed by juveniles, and are unsuitable for other settings or programs.”<sup>5</sup> Research also indicates that smaller placement facilities that are located near the home communities of youth “can provide secure confinement economically and with the best possible outcomes for the youth involved.”<sup>6</sup>

In general, “research has found that juvenile incarceration fails to reduce recidivism.”<sup>7</sup> There is evidence that non-residential, community-based programs can serve as appropriate

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<sup>5</sup> Zavlek, S. Office of Juvenile Justice and Delinquency Prevention, August 2005. “Planning Community-Based Facilities for Violent Juvenile Offenders as Part of a System of Graduated Sanctions” p. 2 <https://www.ncjrs.gov/pdffiles1/ojjdp/209326.pdf>

<sup>6</sup> Ibid.

<sup>7</sup> Pew Charitable Trusts Issue Brief, “Re-Examining Juvenile Incarceration,” April 20, 2015. <http://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2015/04/reexamining-juvenile-incarceration>

alternatives to placement in a secure facility, including for “high-risk” youth<sup>8</sup>, like those who may otherwise be placed at Victor Cullen or in a similar setting.

In light of these findings and of ongoing difficulties in creating a safe environment and an effective program at Victor Cullen, the state should invest in connecting more youth to evidence-based treatment services at home or, at least, in smaller facilities closer to their home communities. The courts and DJS should collaborate to ensure that youth are not sent to out-of-home placement except as a last resort and only if there is a significant risk to public safety. In these limited situations, youth should be as close to home as possible. Services for youth – whether delivered at home or in small facilities near a youth’s home community – should be provided by treatment experts knowledgeable about youth mental health, trauma, substance abuse and other risk-factors faced by youth in the deep-end of the juvenile justice system.

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<sup>8</sup> Douglas Evans and Sheyla Delgado, “Most High Risk Youth Referred to Youth Advocate Programs, Inc. Remain Arrest Free and in their Communities During YAP Participation.” John Jay College of Criminal Justice. April 2014.  
<http://www.yapinc.org/Portals/0/Documents/Fact%20Sheets/JJIB1.pdf>

# **OTHER COMMITTED PLACEMENT CENTERS**

## Youth Centers x4

The youth centers consist of four separate staff secure (not locked and fenced) facilities for boys and are owned and operated by the Maryland Department of Juvenile Services (DJS/the Department): Green Ridge (40-bed capacity); Savage Mountain (36 beds); Meadow Mountain (40 beds); and Backbone Mountain (48 beds). African American youth represented 76% of total entries during the first quarter of 2016, up from 71% during the same period in 2015.

<b>Combined Youth Centers (x4) – Selected Incident Categories</b>	<b>Q1 2014</b>	<b>Q1 2015</b>	<b>Q1 2016</b>
<b>Average Daily Population (ADP)</b>	<b>135</b>	<b>89</b>	<b>112</b>
1. Youth on Youth Assault/Fight	41	21	49
2. Alleged Youth on Staff Assault	13	3	10
3. Physical Restraint	77	55	94
4. Use of Handcuffs and/or Shackles	25	24	24
5. Seclusion	0	0	0
6. Contraband	6	5	6
7. Suicide Ideation	5	0	12
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	0	2

Average daily population (ADP) at the youth centers increased by 26% during the first quarter of 2016 compared to the same period last year. Youth on youth fights and assaults increased by 133% and the use of physical restraints increased by 70%. The use of mechanical restraints remained high.

An increase in the committed placement population is a concern as “a growing body of research demonstrates that for many juvenile offenders, lengthy out-of-home placements in secure corrections or other residential facilities fail to produce better outcomes than alternative

sanctions. In certain instances, they can be counterproductive.”<sup>9</sup> The Department should continue to work to reduce the committed care population by expanding the continuum of effective community-based interventions. Placement in a residential facility should only be considered for high-risk juvenile offenders who have exhausted community-based alternatives.

The detailed programmatic suggested below are necessary to ensure that children at the youth centers receive appropriate services.

Adopt a comprehensive, evidenced-based and trauma-informed treatment model that provides individualized services to youth.

There is no comprehensive evidenced-based and trauma-informed treatment program at the youth centers to address the mental health issues underlying individual youth behavior. The adoption of an overarching treatment model that incorporates an evidenced-based and trauma-informed approach is imperative given that the majority of youth in the juvenile justice system have experienced trauma and meet the criteria for at least one mental disorder.<sup>10</sup>

At the youth centers, there was a 120% increase in incidents involving suicidal ideation in the first quarter of 2016 versus the first quarter of 2015 and 2 incidents of self-injurious behavior (versus 0 incidents in the first quarter of 2015).

Mental health staffing at the youth centers should be increased and at least one mental health clinician should be assigned to each living group (as is the practice at Victor Cullen) to allow for intensive individualized mental health treatment. Close collaboration between mental health clinicians, case management, education, and direct-care staff should be encouraged to aid in the creation of a therapeutic culture.

Address chronic staffing shortages to ensure individualized care and appropriate staff supervision.

The youth centers suffer chronic staffing problems related to issues with staff recruitment and retention. Staffers are regularly required to work double shifts. Shortages of available staff compromise facility safety and impede the ability of staff to provide individualized attention to children under their care. Staffing levels should be increased to allow a supervisor and a rover to be assigned to each living group. At least one staffer should be assigned for every four youth, and a minimum of two staffers should be present with youth at all times.

Expand the availability of structured activities, including outings in the local community.

Recreational programming is limited at the youth centers and youth report persistent boredom because of a lack of activities both on and off campus. A wide variety of structured events, including field trips in the community, should be available to supplement educational

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<sup>9</sup>Pew Charitable Trusts Issue Brief, “Re-Examining Juvenile Incarceration,” April 20, 2015.

<http://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2015/04/reexamining-juvenile-incarceration>

<sup>10</sup>Dierkhising, Carley, et al. (2013). Trauma histories among justice-involved youth: findings from the National Child Traumatic Stress Network. *European Journal of Psychotraumatology*. (4) p. 20274 <http://www.ejpt.net/index.php/ejpt/article/view/20274>

programming. Meaningful and engaging extracurricular opportunities can also serve to enhance safety as excessive down time can lead to incidents.

#### Encourage family engagement.

Family involvement is an essential component in supporting positive outcomes for youth. Increasing the frequency of family visits has been associated with higher grades and decreased incidents while in placement. Family engagement also plays a role in reducing recidivism.<sup>11</sup>

The remote location of the youth centers, which are far from most children's families and communities, is a barrier to family engagement and re-entry. Restrictive DJS family contact and visitation policies create challenges to potential family participation.

Current DJS policy restricts phone contact with family members to two 10-minute phone calls per week. Children at the youth centers report that limited phone contact makes it difficult to keep in touch with family. Visitation is limited to certain hours two days a week. The Department should expand access to phone contact and visitation with family members. Treatment services provided to youth should include family-based interventions.

#### Provide intensive aftercare services.

Individualized and intensive aftercare programs that are well implemented have been shown to reduce recidivism rates for juveniles.<sup>12</sup> The Department should ensure that youth are either enrolled in an educational or vocational program or have secured employment after they leave placement. Individualized support and resources (to meet mental health, substance abuse, and family-related needs) should also be provided during the re-entry process.

#### Improve Educational and Vocational Services.

The Maryland State Department of Education, Juvenile Services Division (MSDE-JSE) operates schools at each of the four youth centers. The schools at the youth centers lack up-to-date technological and educational resources for kids. Access to vocational education is inadequate. A variety of hands-on vocational training leading to nationally recognized credentials should be made available for students.

With the exception of those placed at Backbone Mountain, youth at the youth centers who already have a GED or high school diploma do not have access to post-secondary education. The Department and MSDE-JSE should collaborate to ensure that all eligible students have access to local community college and online college courses as well as employment and internships in nearby communities.

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<sup>11</sup>Shanahan, R. & diZerega, M., "Identifying, Engaging, and Empowering Families: A Charge for Juvenile Justice Agencies." Vera Institute of Justice, February 2016. p. 3 <http://www.vera.org/sites/default/files/resources/downloads/family-engagement-for-juvenile-justice-agencies.pdf>

<sup>12</sup> James, C., Stams, G. J. J., Asscher, J. J., De Roo, A. K., & van der Laan, P. H. (2013). Aftercare programs for reducing recidivism among juvenile and young adult offenders: A meta-analytic review. *Clinical Psychology Review*, 33(2), 263-274.

## Silver Oak Academy

Silver Oak Academy (SOA) is a privately operated, staff secure (not locked and fenced) committed placement center licensed by the Maryland Department of Juvenile Services (DJS/the Department) to house up to 96 boys. Silver Oak is located in Carroll County. African American youth represented 83% of total entries during the first quarter of 2016, compared to 89% during the same time last year.

<b>SOA – Selected Incident Categories</b>	<b>Q1 2014</b>	<b>Q1 2015</b>	<b>Q1 2016</b>
<b>Average Daily Population (ADP)</b>	<b>59</b>	<b>58</b>	<b>46</b>
1. Youth on Youth Assault/Fight	9	9	1
2. Alleged Youth on Staff Assault	2	1	0
3. Physical Restraint	13	17	2
4. Use of Handcuffs and/or Shackles	0	0	0
5. Seclusion	0	0	0
6. Contraband	9	4	9
7. Suicide Ideation	0	0	0
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	0	0

Average daily population during the first quarter of 2016 decreased by 14% compared to the same period last year. Fights and assaults and physical restraints decreased substantially. Efforts to maintain a safe environment through therapeutic interventions should continue at Silver Oak.

Silver Oak provides youth with comprehensive treatment services in a school-like environment that includes hands-on vocational education courses leading to certification in a

variety of trades such as barbering, welding, construction, culinary arts, and nursing. The school at SOA is licensed by MSDE as a Type II non-public school. Students can earn credits towards a high school diploma and graduate while they are in the program. Silver Oak offers advanced placement courses and access to post-secondary education including college and community college courses in the community. Students receive support in preparing and taking college entrance exams like the ACT and SAT. Students can also pursue a GED while at Silver Oak.

Youth may participate in interscholastic sports, extracurricular clubs, and jobs and internships on grounds and in the community. During the first quarter, students participated in Reserve Officer Training Corps (ROTC) and worked as interns at a local bakery, farm, and veterinarian's office.

All staff, including direct-care workers, are trained to implement a treatment model that is based on cognitive behavioral therapy and entails consistent, individualized, therapeutically oriented interventions with youth. Students also receive individualized services including individual counseling, group and family therapy, substance abuse treatment, and evidence-based psychoeducational programming.

During the quarter, a fight broke out among several youth that might have been prevented had there been sufficient staffing on the overnight shift (133970). According to an investigation into the incident by the Department's internal investigatory unit – Office of the Inspector General (OIG) – there was a single staffer assigned to supervise twelve youth dorm rooms. The staffer left the area “to secure an alarmed window on the unit,” leaving the dorm unsupervised, and several youth entered another room and assaulted another youth. Silver Oak should increase staffing ratios to help ensure comprehensive staff coverage at all times.

The incident also raised concerns about possible gang activity at Silver Oak and local law enforcement and OIG subsequently conducted an investigation. Plans to enhance the current aggression replacement curriculum in response to concerns about bullying and possible gang activity should go forward without delay. Careful attention to issues of bullying should also continue in addition to an increased focus on ensuring comprehensive staff supervision of youth.

Family engagement at Silver Oak includes mandated family therapy sessions twice a month and families are also permitted to attend all campus events, including sports games. However, family visitation outside of therapy sessions is limited to two days monthly. Visits at DJS facilities, on the other hand, are offered twice a week. Silver Oak should make visits available to youth and their families at least twice a week given research which shows that frequent family visits can help alleviate depression, improve academic performance, and reduce aggressive incidents among youth in placement.<sup>13</sup>

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<sup>13</sup> Shanahan, R. & diZerega, M., “Identifying, Engaging, and Empowering Families: A Charge for Juvenile Justice Agencies.” Vera Institute of Justice, February 2016. p. 3 <http://www.vera.org/sites/default/files/resources/downloads/family-engagement-for-juvenile-justice-agencies.pdf>

## J. DeWeese Carter Center

The J. DeWeese Carter Center (Carter) is a maximum security committed placement center for girls. Carter is located in Chestertown on the eastern shore and is owned and operated by the Maryland Department of Juvenile Services (DJS/the Department). The DJS-rated housing capacity is 14. African American youth represented 66% of total entries during the first quarter of 2016, compared with 71% during the same period last year.

<b>Carter – Selected Incident Categories</b>	<b>Q1 2014</b>	<b>Q1 2015</b>	<b>Q1 2016</b>
<b>Average Daily Population (ADP)</b>	<b>10</b>	<b>9</b>	<b>7</b>
1. Youth on Youth Assault/Fight	2	0	3
2. Alleged Youth on Staff Assault	2	1	2
3. Physical Restraint	11	7	18
4. Use of Handcuffs and/or Shackles	0	0	0
5. Seclusion	2	3	8
6. Contraband	1	0	0
7. Suicide Ideation	5	1	0
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	3	3	2

Average daily population during the first quarter of 2016 decreased by 22% compared to the same period in 2015, while fights and assaults increased from zero to three. Physical restraints more than doubled and seclusions increased from three to eight. Mechanical restraints were not used in any incident during the quarter.

Girls in the juvenile justice system tend to be “high-need, low-risk,” which refers to a pattern of low-level offending coupled with intense treatment needs, especially related to trauma and mental health. This pattern can result in girls being placed in high-security environments – where treatment is trumped by security – as a result of relatively minor offenses.

There were twelve youth at Carter over the course of the first quarter of 2016. For each of the twelve youth, the most recently recorded court finding and/or adjudicated offense was:

- Violation of probation (preceded by 2<sup>nd</sup> degree assault)
- Disturbing school activities or personnel
- Unauthorized removal of property
- 2<sup>nd</sup> degree assault
- Violation of probation (preceded by 2<sup>nd</sup> degree assault)
- Assault on a police officer
- Violation of probation (preceded by 4<sup>th</sup> degree burglary)
- Violation of probation (preceded by malicious destruction)
- Malicious destruction
- 2<sup>nd</sup> degree assault
- Disturbing the peace
- 2<sup>nd</sup> degree assault

The Department and the courts should ensure that youth are not placed in a maximum security facility except as a last resort when community-based options have been exhausted and there is a substantial risk to public safety, as research shows that “lengthy out-of-home placements in secure corrections or other residential facilities fail to produce better outcomes than alternative sanctions” and may actually increase recidivism, especially for low-level offenders.<sup>14</sup>

All girls placed at Carter are subjected to the same security measures that the Department requires for maximum security facilities, regardless of offense or individual circumstances. These include strip searches following all visits with family and lawyers (whether or not there is reasonable suspicion that a child is concealing contraband) and shackling during transportation to and from court hearings, educational and medical appointments, and earned home passes. Staff did not resort to shackling youth inside the facility during the few incidents that involved aggression during the quarter.

There is no comprehensive, evidence-based treatment program at Carter (or any DJS-operated facility). Staff are not trained in any treatment model and instead rely on the Department’s behavior management system – which is not therapeutically oriented – to guide their interactions with youth. The behavior management system is not evidence-based or trauma-informed, however it is the underpinning of a youth’s placement at Carter.

All staff, including direct-care workers, should be trained to implement a comprehensive treatment program that is evidence-based and trauma-informed. Without a therapeutic model, direct-care staff are not equipped to implement an approach that is responsive to the underlying treatment needs of youth – like trauma and mental health issues – that may be at the root of negative behaviors.

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<sup>14</sup> Pew Charitable Trusts Issue Brief, “Re-Examining Juvenile Incarceration,” April 20, 2015. <http://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2015/04/reexamining-juvenile-incarceration>

The Maryland State Department of Education, Juvenile Services Education (MSDE-JSE) division operates the school at Carter. There is no opportunity for post-secondary education for girls who have earned a high school diploma or GED. Options for vocational education are limited and cannot be offered on a daily basis because the special education teacher doubles as the career technology instructor.

A vacancy for a school principal position – which is shared with another facility – should be filled as soon as possible. MSDE-JSE should adjust staffing arrangements so that each school has its own principal. For more information on education services in DJS facilities, see the MSDE-JSE section beginning on page 39.

The Department and MSDE-JSE should collaborate to ensure that girls at Carter have access to jobs, internships, volunteer work, and other activities in the nearby college community of Chestertown. These opportunities are especially important for girls who have earned a high school diploma or GED, as they do not currently have access to productive programming at Carter.

# DETENTION CENTERS

## Baltimore City Juvenile Justice Center

The Baltimore City Juvenile Justice Center (BCJJC) is a maximum security detention center for boys. The Maryland Department of Juvenile Services (DJS/the Department) owns and operates BCJJC and the DJS-rated housing capacity is 120 beds. African American youth represented 94% of total entries during the first quarter of 2016, compared to 95% during the same time last year.

<b>BCJJC – Selected Incident Categories</b>	<b>Q1 2014</b>	<b>Q1 2015</b>	<b>Q1 2016</b>
<b>Average Daily Population (ADP)</b>	<b>89</b>	<b>86</b>	<b>84</b>
1. Youth on Youth Assault/Fight	68	45	64
2. Alleged Youth on Staff Assault	7	8	10
3. Physical Restraint	97	67	92
4. Use of Handcuffs and/or Shackles	24	40	23
5. Seclusion	70	1	3
6. Contraband	8	3	4
7. Suicide Ideation	4	10	5
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	2	4	1

Average daily population during the first quarter of 2016 decreased slightly compared to the same time last year and the use of mechanical restraints decreased by 43%. However, fights and assaults increased by 42% and physical restraints increased by 37%.

The Maryland State Department of Education, Juvenile Services Education (MSDE-JSE) division operates the school at BCJJC. Educational staff shortages continued to present a barrier to comprehensive, daily schooling for youth during the quarter. There is no post-secondary programming for youth at BCJJC who have earned their high school diploma or GED. The

Department of Juvenile Services and MSDE-JSE should collaborate to identify opportunities for post-secondary education including access to college courses and job training programs for youth in detention at BCJJC. For more information on educational services in DJS facilities, see the MSDE-JSE section beginning on page 39.

The ability of mental health clinicians to work alongside direct-care workers is impeded by the location of their offices in relation to the living units. The offices are in a different wing of the building and, as a result, clinicians have to go through security, be searched, sign in, and be given a visitor's badge before they can access youth in the detention center wing.

This process hampers the ability of mental health staff to respond quickly to crises or other situations that they may be able to help de-escalate. Mental health clinicians' offices should be located within the detention center section of the BCJJC complex to facilitate ongoing collaboration between direct-care and mental health staff in daily unit activities. Basing mental health staff on the units will also ensure their ability to take the lead in situations where de-escalation and crisis intervention skills are needed.

Recreational activities have been increased to include art classes with the Baltimore Youth Arts organization three times a week for small groups of youth. Structured activities should be further expanded and downtime on the units minimized for all youth especially on evenings and weekends, and during midday breaks during the week.

## Cheltenham Youth Facility

Cheltenham Youth Facility (CYF), located in Prince George's County, is a maximum security detention center owned and operated by the Department of Juvenile Services (DJS/the Department). The DJS-rated housing capacity is 115 boys. African American youth represented 74% of total entries during the first quarter of 2016, compared to 79% during the same time last year.

<b>CYF – Selected Incident Categories</b>	<b>Q1 2014</b>	<b>Q1 2015</b>	<b>Q1 2016</b>
<b>Average Daily Population (ADP)</b>	<b>84</b>	<b>70</b>	<b>65</b>
1. Youth on Youth Assault/Fight	28	37	47
2. Alleged Youth on Staff Assault	1	4	1
3. Physical Restraint	30	35	58
4. Use of Handcuffs and/or Shackles	4	8	12
5. Seclusion	0	0	0
6. Contraband	2	1	2
7. Suicide Ideation	5	3	7
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	2	4

While the average daily population (ADP) has trended downward between the first quarter of 2015 and the first quarter of 2016, fights and assaults and the use of restraints have increased when comparing the same time periods. Average daily population during the first quarter of 2016 decreased by 7% compared to the first quarter of 2015, while youth on youth fights and assaults increased by 27%, physical restraints increased by 66%, and the use of mechanical restraints increased by 50%. Seclusion was not used at CYF during the quarter.

The continued decline in population at CYF is a positive development. As noted by experts in juvenile justice reform, “research shows that youth who spend time in custody are less likely to complete high school, less likely to find employment, and more likely to suffer mental health problems than comparable youth who are not detained. In addition, detained youth are more likely to be re-arrested, adjudicated or convicted for new offenses, and incarcerated than youth who remain at home awaiting court or pending placement.”<sup>15</sup>

The Department has attempted to re-launch the Annie E. Casey Foundation’s Juvenile Detention Alternatives Initiative (JDAI) in Prince George’s County. JDAI brings together stakeholders in order to examine ways to safely and appropriately reduce the numbers of detained youth. However, full participation in JDAI by the court is needed to effectuate systematic reductions in the inappropriate use of secure detention in Prince George’s County.

Youth with aggression issues that are in need of additional supports are often placed on a separate, self-contained and restrictive Intensive Services Unit (ISU) within the facility. All youth must receive at least one hour of recreation on a daily basis, as required by law. During the quarter, youth on the ISU were denied gym access for recreation on several occasions due to scheduling problems that were complicated by a headquarters imposed ban on youth movement after dark.

Mental health clinicians collaborate with DJS direct-care staff at CYF and frequently provide trainings on pertinent topics related to creating a safe and therapeutic facility environment. During the quarter, mental health clinicians provided training to DJS direct-care staff on group dynamics and group process. Efforts to integrate mental health staff in facility operations should be replicated at other DJS facilities.

The Maryland State Department of Education Juvenile Services Education division (MSDE-JSE) is responsible for providing educational services to youth at CYF.

Issues with MSDE-JSE staff recruitment and retention issues are preventing students from receiving consistent and comprehensive classroom instruction and adequate educational supports at CYF. Youth attended school on a half day basis several times during the quarter because of teacher absences and vacancies. Teacher vacancies also prevented youth on the ISU from receiving consistent daily instruction. Students at CYF are not taught science by a qualified science instructor due to a long standing job opening for a science teacher. Vacancies for special education teachers, an Office Systems Management teacher and guidance counselor remain unfilled at time of writing (April 22, 2016).

Several students were suspended from school during the first quarter because of problematic behavior, including making threats against teachers and fighting in school. The youth were removed from the school building and kept on a housing unit during school hours on the days when they were suspended. During this time, they were given packets of work to complete on their own. Out of school suspension is not an appropriate or effective response to problematic youth behavior and interferes with a child’s educational progress. School personnel,

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<sup>15</sup> Annie E. Casey Foundation, November 19, 2013. “Why Is Detention Reform Important?” <http://www.aecf.org/blog/why-is-detention-reform-important/>

mental health clinicians, and DJS staff should collaborate on ways to address youth behavioral issues while keeping them engaged in school. Staff should be trained on restorative justice practices to teach children constructive ways to handle conflict.

The majority of youth at CYF attend Prince George's County schools. The Prince George's County school system should assign a liaison to work with youth to facilitate transition to local schools and ensure that credits earned while in detention or placement transfer to a child's community school. Montgomery County has successfully implemented this approach and can serve as a model to other jurisdictions.

For more information on education services in DJS facilities, see the MSDE-JSE section beginning on page 39.

### Charles H. Hickey, Jr., School

The Charles H. Hickey, Jr., School (Hickey) in Baltimore County is a maximum security detention center for boys. Hickey is owned and operated by the Department of Juvenile Services (DJS/the Department) and has a DJS-rated housing capacity of 72 beds. African American youth accounted for 76% of entries in the first quarter of 2016, compared to 64% during the same period last year.

Hickey – Selected Incident Categories	Q1 2014	Q1 2015	Q1 2016
<b>Average Daily Population (ADP)</b>	<b>45</b>	<b>43</b>	<b>47</b>
1. Youth on Youth Assault/Fight	14	31	28
2. Alleged Youth on Staff Assault	1	2	4
3. Physical Restraint	32	64	65
4. Use of Handcuffs and/or Shackles	3	12	8
5. Seclusion	14	23	6
6. Contraband	4	2	5
7. Suicide Ideation	7	10	5
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	3	6	2

Average daily population (ADP) for the first quarter of 2016 increased by 9% compared to the first quarter of 2015. Youth assaults and fights and use of mechanical restraints decreased by 10% and 33%, respectively, during the first quarter. Physical restraints increased from 64 to 65, and seclusion declined by 74% from the first quarter of 2015.

Observations from facility visits during the quarter and a comparison of 2014 and 2016 incident report data indicate that the Department needs to take steps to improve youth and staff safety at Hickey. Facility administrators should continue efforts to create a safe and structured environment in order minimize the number of aggressive incidents and the use restraints. Staff should receive enhanced training on de-escalation and conflict resolution techniques to aid in

the prevention of fights and assaults and reduce reliance on restraints. Conflict resolution training for staff should include in-depth instruction on restorative justice practices to teach youth ways to manage conflict constructively. Close collaboration between mental health clinicians and direct-care staff should be fostered in order to assist in de-escalation and conflict resolution efforts. Recent plans by mental health clinicians to provide a training on group dynamics and group facilitation to direct-care staffers at Hickey should go forward.

The Maryland State Department of Education Juvenile Services Education division (MSDE-JSE) is responsible for providing educational services at Hickey. Teaching vacancies and absences during the quarter disrupted student access to consistent daily classroom instruction. Students attended school for half days on a frequent basis during the quarter as a result of teacher shortages. A longstanding vacancy for a school principal resulted in a lack of leadership and organization within the school during the quarter. MSDE-JSE should prioritize the hiring and retention of qualified educational personnel to prevent further disruptions in the educational program at Hickey. For more information on education services in DJS facilities, see the MSDE-JSE section beginning on page 39.

Students with a high school diploma or GED have the option of participating in the World of Work program at Hickey. Participants complete odd jobs around the campus for pay while under staff supervision. High school graduates at all DJS facilities should have access to online community college courses and vocational education courses leading to certification while detained.

## Thomas J.S. Waxter Children’s Center

The Thomas J.S. Waxter Children’s Center (Waxter), located in Anne Arundel County, is a maximum security detention center for girls. Waxter is owned and operated by the Department of Juvenile Services (DJS/the Department) and has a DJS-rated housing capacity of 42 beds. African American youth represented 69% of total entries during the first quarter of 2016 compared to 83% in the same period last year.

DJS data shows that 75% of girls in out of home placement have a moderate-to-high mental health need.<sup>16</sup> The courts and DJS should divert youth with mental health issues away from the juvenile justice system and into comprehensive, community-based treatment given that “young people with behavioral health problems simply get worse in detention, not better.”<sup>17</sup>

Waxter – Selected Incident Categories	Q1 2014	Q1 2015	Q1 2016
<b>Average Daily Population (ADP)</b>	<b>21</b>	<b>23</b>	<b>22</b>
1. Youth on Youth Assault/Fight	12	22	22
2. Alleged Youth on Staff Assault	0	1	4
3. Physical Restraint	19	40	50
4. Use of Handcuffs and/or Shackles	3	4	9
5. Seclusion	0	5	12
6. Contraband	2	4	1
7. Suicide Ideation	17	26	36
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	2	6	2

<sup>16</sup> DJS Report on Female Offenders, February 2012, p. 11

[http://dlslibrary.state.md.us/publications/Exec/DJS/SB787Ch290HB511Ch291\\_2011.pdf](http://dlslibrary.state.md.us/publications/Exec/DJS/SB787Ch290HB511Ch291_2011.pdf)

<sup>17</sup> Justice Policy Institute, The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities, (2011), p. 8. [http://www.justicepolicy.org/images/upload/06-11\\_rep\\_dangersofdetention\\_ji.pdf](http://www.justicepolicy.org/images/upload/06-11_rep_dangersofdetention_ji.pdf)

The average daily population decreased slightly in the first quarter of 2016 compared to the same time last year and the number of fights/assaults did not change when comparing the same period. However, physical restraints increased by 25%, the use of mechanical restraints and seclusions more than doubled, and incidents of suicide ideation increased by 38%.

Comprehensive direct-care staffing and ongoing collaboration between mental health clinicians and direct-care workers are necessary in order to ensure optimal use of processing and de-escalation techniques in situations that may otherwise lead to restraints and seclusions. Comprehensive staffing is also required to ensure that essential one-to-one staffing for youth on suicide watch does not compromise staff efforts to constructively engage with youth.

The Department has secured five new direct-care positions and there were an additional five vacancies for direct-care workers leaving ten vacancies for direct-care staff at the end of the quarter. Facility management at Waxter is also under pressure as an assistant superintendent position was vacant throughout the quarter. All of these positions should be filled as soon as possible.

Efforts to reduce downtime on the units should continue. There is a supervisory staffer who is responsible for leading recreational activities outside of school hours and a recreation specialist position was filled during the quarter. DJS headquarters should provide funding to further expand structured programming.

The Maryland State Department of Education, Juvenile Services Education division (MSDE-JSE) operates the school at Waxter. Collaboration between MSDE-JSE and DJS staff, including efforts to improve school attendance, should continue and emphasize clear lines of communication to ensure all youth receive education services on a daily basis. (For more about education services in DJS facilities, see the MSDE-JSE section beginning on page 39.)

Girls who have earned their high school diploma or GED are eligible to participate in the World of Work program which allows them to complete odd jobs around the facility for pay. If there are not enough staffers, girls who have already earned a high school diploma or GED do not participate in any educational or vocational training.

**Alfred D. Noyes Children’s Center**

The Alfred D. Noyes Children’s Center, located in Montgomery County, is a Department of Juvenile Services (DJS/the Department) owned and operated maximum security detention center for boys and girls with a DJS-rated capacity of 57. African Americans represented 71% of youth entries in the first quarter of 2016, compared to 69% during the first quarter of 2015.

Most cells at Noyes are double (or higher) occupancy, however due to declining population, residents were able to be single celled during the quarter. This practice should continue, as housing two or more youth per cell is a risk to institutional and resident safety and is contrary to the best practice of placing residents in individual rooms.

<b>Noyes – Selected Incident Categories</b>	<b>Q1 2014</b>	<b>Q1 2015</b>	<b>Q1 2016</b>
<b>Average Daily Population (ADP)</b>	<b>30</b>	<b>31</b>	<b>22</b>
1. Youth on Youth Assault/Fight	13	28	14
2. Alleged Youth on Staff Assault	3	1	2
3. Physical Restraint	20	66	38
4. Use of Handcuffs and/or Shackles	6	12	7
5. Seclusion	5	8	10
6. Contraband	1	3	1
7. Suicide Ideation	10	4	12
8. Suicide Attempt	0	0	1
9. Self-Injurious Behavior	0	3	0

During the first quarter of 2016, the average daily population (ADP) decreased by 29% compared to the same time last year. During the same time period, youth on youth assaults and fights decreased by 50%, physical restraints decreased by 42%, and use of mechanical restraints decreased by 41%. However, seclusion increased by 25% during the quarter.

Noyes reopened under new management in December 2015 following an extensive period of renovation. Noyes administrators increased staff training on behavior management and improved incident audit procedures to incorporate supervisory critique and feedback on staff performance. Administrators have also partnered with community organizations to bring in a variety of structured activities to the facility, including a monthly special event, art and exercise classes, and a yoga program for the girls. These operational enhancements have contributed to a safer and more structured facility environment.

Incidents of suicide ideation increased from 4 to 12 during the quarter compared to the same time in 2015. There was an incident where a girl wrapped a telephone cord around her neck (the Department categorized the incident as self-injurious behavior). Although girls comprise a minority of the Noyes population, half of all seclusions and two group disturbances involved female residents. The Department's data shows that 75% of girls in DJS have a moderate-to-high mental health need and 46% have been the victims of physical or sexual abuse in their lives.<sup>18</sup> Staff training in trauma-informed interventions that include close collaboration with mental health clinicians should be implemented at Noyes.

The Maryland State Department of Education Juvenile Services Education division (MSDE-JSE) is responsible for educational and vocational instruction at Noyes. During the quarter, a youth with a high diploma who had been attending community college in the community had to attend high school level classes at Noyes because of a lack of post-secondary vocational or educational opportunities. A variety of post-secondary vocational and educational programs should be offered to youth in detention. The World of Work program, available at other DJS detention centers, allows youth to do odd jobs around the facility for remuneration. World of Work should be expanded to all DJS detention centers, including Noyes.

For more information on education services in DJS facilities, see the MSDE-JSE section beginning on page 39.

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<sup>18</sup> DJS Report on Female Offenders, 2012. p. 11 <http://www.djs.state.md.us/docs/Girls.Feb.2012.Report.pdf>

### Lower Eastern Shore Children's Center

The Lower Eastern Shore Children's Center (LESCC) is a hardware secure detention center located in Salisbury. LESCC is owned and operated by the Maryland Department of Juvenile Services (DJS/the Department) and has a DJS-rated housing capacity of 18 boys and six girls. African American youth represented 74% of total entries during the first quarter of 2016, compared to 77% during the same period last year.

LESCC – Selected Incident Categories	Q1 2014	Q1 2015	Q1 2016
<b>Average Daily Population (ADP)</b>	<b>17</b>	<b>17</b>	<b>15</b>
1. Youth on Youth Assault/Fight	4	6	11
2. Alleged Youth on Staff Assault	1	0	0
3. Physical Restraint	11	16	23
4. Use of Handcuffs and/or Shackles	1	0	0
5. Seclusion	1	0	1
6. Contraband	0	1	2
7. Suicide Ideation	6	8	4
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	2	5	2

Average daily population during the first quarter of 2016 decreased by 12% compared to the same period last year while fights and physical restraints increased. Mechanical restraints were not used in any incidents during the quarter.

A longstanding vacancy for a social worker was filled in March. Staff and administrators at LESCC have continued working to establish a safe and caring environment for youth in secure detention. Their approach should serve as a model for other DJS operated facilities.

## Western Maryland Children's Center

Western Maryland Children's Center (WMCC), located in Washington County, is a 24-bed maximum security detention center for boys owned and operated by the Maryland Department of Juvenile Services (DJS/the Department). African American youth represented 68% of total entries during the first quarter of 2016, compared to 62% during the same time last year.

<b>WMCC – Selected Incident Categories</b>	<b>Q1 2014</b>	<b>Q1 2015</b>	<b>Q1 2016</b>
<b>Average Daily Population (ADP)</b>	<b>15</b>	<b>13</b>	<b>20</b>
1. Youth on Youth Assault/Fight	4	2	18
2. Alleged Youth on Staff Assault	0	0	0
3. Physical Restraint	9	20	34
4. Use of Handcuffs and/or Shackles	0	7	4
5. Seclusion	0	1	2
6. Contraband	0	2	0
7. Suicide Ideation	5	1	1
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	1	5	1

The average daily population increased by 54% during the quarter compared to the first quarter of 2015. Fights and assaults increased from 2 to 18 and physical restraints increased by 70%. However, the use of mechanical restraints decreased by 43%. Increased efforts in utilizing conflict resolution and verbal de-escalation techniques and minimizing the use of physical restraints are needed to maintain a safe environment.

Excessive downtime can also contribute to aggressive incidents. A volunteer from a local community religious organization provides structured weekly programming for youth who wish to participate. Partnerships with community organizations should be expanded to bring a variety of programming to residents at WMCC. The Department should provide funding to facility

administrators to help attract organizations who can provide valuable structured programming to youth.

Youth housed at WMCC do not have access to outdoor green space for recreational and enrichment activities such as community gardens. Access to outdoor space at WMCC should be expanded for resident use.

The Maryland State Department of Education Juvenile Services Education division (MSDE-JSE) is responsible for educational and vocational instruction at WMCC. There are only limited vocational education opportunities for students at WMCC with a high school diploma or GED and no options for post-secondary education. Youth with a high school diploma or GED have to attend high school level classes while detained because of limited programming.

Students in detention with a high school diploma should have access to a broad range of post-secondary educational and vocational programs, including online community college courses and vocational training leading to certifications. The World of Work program, available at other DJS detention centers, allows youth to do odd jobs around the facility for remuneration. World of Work should be expanded to all DJS detention centers, including WMCC.

For more information on education services in DJS facilities, see the MSDE-JSE section beginning on page 39.

## **SMALLER FACILITY UPDATES**

The number of incidents involving aggression at smaller facilities operated or licensed by DJS remained low during the first quarter of 2016.

### **Liberty House Shelter**

Liberty House is a shelter care facility in Baltimore City operated by Youth Enterprise Services, Inc. and licensed by the Maryland Department of Juvenile Services (DJS/the Department) to house up to ten boys. Liberty House offers a less restrictive alternative to secure detention for boys 13 to 18 years old. Youth reside in a home-like environment and attend school and recreational activities in the community. Program administrators should devote resources to renovations of the physical plant, including repainting walls, installing new flooring, removing broken furniture, and renovating and deep cleaning bathrooms to eliminate traces of mold.

### **Morning Star Youth Academy**

Morning Star Youth Academy is a staff secure (not locked or fenced) committed placement center on the eastern shore operated by Vision Quest, Inc. and licensed by DJS to house up to 24 boys. The daily population was approximately 13 youth for the first quarter.

Youth participate in outdoor activities and events in the community and receive individual and group therapy from a private contractor. Music and equine therapy programs are also available on campus. Family visitation and engagement are encouraged.

During the quarter, a youth AWOLed from the facility and was apprehended without incident shortly after. Administrators at Morning Star should ensure comprehensive staff supervision of youth at all times.

Morning Star is providing transportation services for youth attending court hearings or traveling home on earned passes so that they will not have to undergo DJS transportation procedures that require children to be mechanically restrained in hand and leg shackles, with the handcuffs fastened to a belly chain via a metal box.

### **One Love Group Home**

One Love Group Home (One Love) is an 8-bed group home in Baltimore City operated by Building Communities Today for Tomorrow, Inc. The home is licensed by and receives referrals from DJS. The program focuses on providing adjudicated boys between the ages of 17 and 20 with the skills and services they need to facilitate transition back to home communities.

One Love is a comfortable, home-like environment and youth attend school, work, and engage in recreational and volunteer activities in the surrounding community. There is a structured points and level system allowing youth to earn meaningful rewards (walks in the community, allowance money, food from nearby community restaurants) on a daily and weekly basis. Youth receive individual and group therapy (including trauma therapy if indicated), life-skills training, and substance abuse counseling. One Love continues to offer youth individualized services in a safe and nurturing environment.

## **The Way Home (NOTICE OF CLOSURE)**

The Way Home closed during the second quarter of 2015. The Way Home was located in west Baltimore and provided adjudicated girls with an appropriate alternative to long term placement in a more restrictive facility.

## **William Donald Schaefer House**

William Donald Schaefer House (WDSH) is a staff secure (not locked and fenced) substance abuse treatment program with the capacity to serve up to 19 adjudicated boys between the ages of 13 and 17. The program runs for approximately 120 days and is located in a converted home in Baltimore City. Individual and group substance abuse counseling is provided. Schaefer House also partners several community organizations to provide youth with enrichment and recreational activities and programs both within the home and in the community.

Educational services are provided by the Maryland State Department of Education, Juvenile Services Education division (MSDE-JSE). Vocational education options for youth are limited to certification in ServSafe – a basic food handling hygiene course - and there are no opportunities for post-secondary education.

Post-secondary education, internships and employment in the community should be available to youth in DJS facilities. Technological resources should be updated to include online access for educational purposes, including the availability of online community college courses.

## **NOTICE OF CLOSURE - William Donald Schaefer House**

**During the first quarter, DJS announced plans to close William Donald Schaefer House (WDSH) by the end of June of 2016 and indicated that youth who would have been placed at WDSH will be sent to the youth camps in western Maryland.**

**Placement at the youth camps as opposed to WDSH represents the adoption of a more restrictive approach. The youth camps are remotely located and the programs run for a longer period of time – six months compared to four at WDSH. Research shows that “lengthy out-of-home placements in secure corrections or other residential facilities fail to produce better outcomes than alternative sanctions” and in “certain instances they can be counterproductive.”<sup>19</sup>**

**The Department and the courts should ensure that youth who would have otherwise been placed at the Schaefer House are not pushed further into the deep-end of the juvenile justice system as a result of the Department’s decision to close WDSH. Youth should instead receive evidence-based substance abuse services in the communities where they live.**

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<sup>19</sup> Pew Charitable Trusts Issue Brief, April 20, 2015. “Re-Examining Juvenile Incarceration.” <http://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2015/04/reexamining-juvenile-incarceration>

# **MARYLAND STATE DEPARTMENT OF EDUCATION IN DJS FACILITIES**

The Maryland State Department of Education, Juvenile Services Education division (MSDE-JSE) is responsible for providing education services to youth in each of the 14 detention and committed placement centers operated by the Maryland Department of Juvenile Services (DJS/the Department).

Inadequate organizational infrastructure and insufficient funding have prevented MSDE-JSE from establishing a functional educational program in DJS facilities. These structural shortcomings have directly impacted the availability and quality of educational services in DJS facilities.

Leadership at MSDE should assess and quantify what resources are required to establish the organizational structure needed to operate a functional system of educational programming. While the addition of \$2 million and 20 added positions to the MSDE-JSE budget in fiscal year 2017<sup>20</sup> is a first step in addressing these issues, it is not a permanent or comprehensive solution.

Ongoing problems with teacher shortages – as a result of vacancies and absences – continued to significantly disrupt education services in MSDE-JSE schools during the first quarter of 2016. When there are not enough teaching staff to provide classroom instruction to all students, youth sometimes receive packets of schoolwork to complete independently on the living unit.

At the Charles H. Hickey, Jr., School (Hickey) and Cheltenham Youth Facility (CYF), there were only enough teachers at certain points during the quarter to hold half days of school. Youth on Intensive Services Units at Victor Cullen, CYF, and Baltimore City Juvenile Justice Center are especially impacted by teacher shortages and tend to be left without teacher instruction more often than regular living units. At CYF, a vacancy for a qualified science teacher has remained unfilled for several months.

In addition to severe shortages of instructional staff, several MSDE-JSE schools were also without principals during the quarter. As a result, MSDE-JSE administrators are filling in as part-time principals at Victor Cullen, Western Maryland Children's Center, Hickey, William Donald Schaefer House, J. DeWeese Carter Center, and Lower Eastern Shore Children's Center. Educational services for youth have suffered as a result of unstable leadership.

Officials at MSDE headquarters need to take prompt action to bolster MSDE-JSE teaching and administrative staff, and comprehensively address the issue of staff turnover. Increased pay for MSDE-JSE teachers – who work year round but earn less than their colleagues in local school systems – should be incorporated into the MSDE-JSE budget. Access to short- and long-term substitute teachers will also be necessary to help ensure that teacher vacancies and absences do not disrupt the delivery of education services to youth in DJS facilities. There should be exit interviews with staff who resign to help MSDE-JSE identify a targeted solution to attrition challenges.

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<sup>20</sup> Maryland Budget Highlights FY 2017, p. 15  
<http://www.dbm.maryland.gov/budget/Documents/operbudget/2017/2017Highlights.pdf>

The ability of MSDE-JSE to deliver quality educational services is also hindered by problems in the way the system functions and how it interacts with local school systems. Youth should not be automatically unenrolled from their home school upon entry to a DJS facility. Instead, MSDE-JSE should coordinate with local school systems so that youth may stay enrolled in their school in the community and progress through its curriculum, while they are in a DJS facility. This approach may help to alleviate some of the following issues.

- Youth who enter a DJS facility are automatically unenrolled from their school in the community and have to be in an MSDE-JSE school for 45 days before they are eligible to earn credit, while data from fiscal year 2015 shows that the average length of stay for pre-disposition youth in DJS detention centers was 16 days.
- Students in MSDE-JSE schools do not necessarily have access to all the courses required to earn a diploma from their school in the community, such as foreign language classes, which may impede their educational progress while they are in detention or committed placement.
- Students may enter detention or committed placement close to meeting the graduation requirements set by their high school but because MSDE-JSE schools are not a part of a local school system, youth cannot earn a high school diploma while they are in a DJS facility (though they can pursue and earn a GED).
- Youth may also experience challenges transferring credits from MSDE-JSE schools to local school systems. When youth return home, credits they earned in MSDE-JSE schools are not necessarily accepted by their local school system and applied toward a high school diploma. Local school systems should be required to accept credits youth earn while in a MSDE-JSE school and apply them towards a high school diploma to ensure that youth are not further behind in school when they return home from a DJS facility.

Comprehensive coordination with local school systems will be necessary to address these and other issues. In Montgomery County there is a court liaison who works collaboratively as a representative of the local school system with DJS and MSDE-JSE to facilitate a smooth and individualized transition from detention or committed placement to high schools in the community. Other jurisdictions in the state should establish a comparable position in their local school systems and use the Montgomery County court liaison's approach as a model. Court liaisons should work with DJS and MSDE-JSE to help ensure that youth are enrolled in school, employed (or both) before leaving a DJS facility.

There are also gaps in available programming that prevent some youth from participating in the educational services they need while in detention or committed placement.

Youth in DJS facilities do not have access to post-secondary education, with the exception of eligible boys who are placed at Backbone Mountain youth center in western

Maryland. Girls in DJS facilities do not have any access to post-secondary education. Joint efforts on the part of DJS and MSDE-JSE are needed to ensure that youth who have earned a high school diploma or GED have access to college and community college courses through online and on campus enrollment options.

Vocational education is limited in MSDE-JSE schools as a result of staffing shortages and an insufficient program that does not include a variety of hands-on courses leading to recognized certification. MSDE-JSE and DJS should ensure that there is adequate staffing, space, and equipment at each site to ensure that hands-on vocational education programs are available on a daily basis for youth in detention and committed placement. Community-based options for job training – including courses, internships, and employment – should also be available to youth.



# MARYLAND Department of Juvenile Services

*Successful Youth • Strong Leaders • Safer Communities*

May 31, 2016

## **DJS Response to the Juvenile Justice Monitoring Unit's 2016 First Quarter Report**

The Department of Juvenile Services (DJS) has thoughtfully reviewed the JJMU's 2016 First Quarter Report.

The Department has successfully implemented and continues to focus on initiatives to serve low risk youth in the community, while working within the authority of the court who makes final decisions for out-of-home placements. Reforms include working with the Annie E. Casey Foundation to implement the Juvenile Detention Alternatives Initiative in Baltimore City which has resulted in a sustained reduction in the detention population at the Baltimore City Juvenile Justice Center and led to the department housing Baltimore City youth charged as adults. In 2011, the average daily population at the Baltimore City Detention Center was 121.1, in 2015, the average daily population was 52.3 (excludes youth charged as adults). The JDAI initiative is also being implemented in Prince Georges County, and policy changes resulting of lessons learned are being implemented statewide. Detention alternatives include electronic monitoring, shelter care, evening reporting centers, Detention Reduction Advocacy Program and the Pre-Adjudication Coordination and Training Center. Alternatives to commitment include the CHOICE Program, Functional Family Therapy, Multisystemic Therapy, Family Centered Treatment, Multidimensional Treatment Foster Care, targeted case management, Youth Advocacy Program, and the Enhanced Disposition Program. DJS proposed legislation to reduce time in detention, including Senate Bill 122 which requires an intake officer who authorizes detention of a child for a violation of community detention to immediately file a petition to authorize the continued detention of a child. The juvenile court must hold a hearing on the petition no later than the next court day unless extended for no more than five days by the court on good cause shown. The Department has also implemented AIM, the Accountability and Incentive Management (AIM) Program to reduce low level technical violations. DJS will continue to monitor, research and implement initiatives to serve low level offenders in the community.

### **Cohesive Treatment Programming**

The JJMU's critique of CHALLENGE, the Department's behavior management program, is without merit. All DJS programming is based on data that identifies the needs of our population and research that indicates programs are evidence-based, incorporate evidence-based principles, and/or is a best practice. Behavior modification programs such as CHALLENGE are incentive based and are implemented nationally in schools and residential adolescent programs, which include more intensive

treatment facilities such as psychiatric treatment centers. Research supports the use of behavior management strategies for maintaining order, minimizing disruption, improving climate and reducing problem behavior.

The CHALLENGE Program incorporates evidence-based principles to promote and reinforce youth development of pro-social and interpersonal skills, acceptance of responsibility for behavior, improved problem-solving ability, and development of peer leadership skills. Progression through the program is defined by levels which integrate goals for each youth's participation in treatment and educational services in order to earn a recommendation to the court for release.

An individualized treatment service plan is developed for each youth in which treatment needs, goals and strategies are defined. A multidisciplinary treatment team assesses each youth's progress in achieving the goals of the treatment plan monthly. Progress is reinforced through the attainment of level promotion in CHALLENGE. Treatment services to include individual and group therapy, and family counseling are provided by licensed psychologist and social workers, addiction and professional counselors. Treatment programs include implementation of 7 Challenges, an evidence-based substance abuse program, Social Skills Training and Aggression Replacement Techniques (START), an evidence-based anger management program, and Forward Thinking, an interactive cognitive-behavioral journaling series that uses evidence-based strategies to assist youth in making positive changes.

Thus, CHALLENGE not only serves as a system of positive reinforcement of prosocial behavior using a point system throughout the day, it also incorporates multiple levels which are tied to achievement in academic and treatment goals. As youth accomplish the goals outlined in their individualized treatment plan, they are promoted through the levels of CHALLENGE and ultimately to a recommendation for release. The daily points and weekly incentives are designed to reinforce behavior. The levels are designed to incentivize academic performance and engagement in treatment.

The Department has identified the need to expand programming and services to address trauma needs based on research and assessments of our youth. The Department is currently reviewing proposals for trauma informed programming to provide training for direct care and clinical staff.

### ***Committed Facility Responses***

#### ***Victor Cullen***

There was an increase of five aggressive incidents during this quarter when compared to the same quarter last year. However, there has been a noted severity of assaultive behavior and alleged gang activity. The most serious incidents involved an alleged sexual assault with an inanimate object, which is pending criminal prosecution, and a group disturbance requiring support from law enforcement. All reported incidents were investigated and as appropriate staff performance issues were addressed up to and including termination. JJMU cites that incident #134956 was not reported to CPS as a referral for neglect. Referrals for investigation to CPS are made based on the circumstances of the incidents, and in this instance the administrative review did not conclude a suspicion of neglect. An administrative investigation revealed a violation of procedures and disciplinary action lead to the

termination of the involved employee. The youth on youth assault described in incident #134116 occurred during morning wake up. A youth entered another youth's room while the staff was waking up other youth. The morning routine was reassessed and modified to improve supervision of youth.

The Department's executive management has conducted a thorough assessment of operations at Victor Cullen and has taken the following measures to address operational concerns and the increased level of aggressive behaviors: executive staff was assigned on site, a new leadership team is being established, security protocols were enhanced to strengthen safety for youth and staff, security and program re-training, supervisory performance training, increased youth activity programming, expanded recruitment for vacancies and additional security surveillance has been installed. Additional programming for youth included Community Conferencing counseling and implementation of the Gang Resistance Education Training Program. Implementation of these measures has resulted in a more stable environment. During the past two months, all youth have participated in a campus field day activity, a family dinner event, and campus intramural competitions. Some youth earned off campus privileges to participate in a Mountain Madness competition held at Meadow Mountain Youth Center and a campus orientation and mentoring opportunity at Mount St. Mary's University. The occurrences of facility incidents decreased from March to April 2016 by 64%, and from March to May 2016 by 71%. Close executive oversight of the facility will continue until a new superintendent is recruited. Two new assistant superintendents have been appointed.

#### *Intensive Services Unit*

Victor Cullen manages the most aggressive youth in the state system. Youth who are assaultive and present as an imminent safety or security risk are placed in a dedicated unit known as the Intensive Services Unit (ISU). The ISU allows for more individualized and intensive supervision and treatment, while keeping other youth safe from acts of aggression. During this quarter the behavior of youth escalated on the unit requiring the limited use of handcuffs to safely move youth to the bathroom due to youth kicking in doors to other youth's rooms.

JJMU cites an objection to a case where a youth was placed in ISU due to escape risk. Appropriate measures were taken by the facility administration to maintain custody of the youth. The youth's risk of escape was well documented and the individualized behavior plan was responsive to include re-integration into the general population based on a demonstration of reduced risk. Documented security concerns for this youth included a previous attempt to escape from Victor Cullen, a successful escape by scaling a security fence at Charles H. Hickey School, a written escape plan and an attempted escape upon his return to Victor Cullen.

JJMU reports that there were five days in March in which youth received large muscle recreation in the ISU unit. While youth in ISU are routinely scheduled for recreation and large muscle exercise in the gym or the recreation yard, there were five instances during this quarter in which management directed activities on the living unit in response to security and escape risks presented by the youth. Management is expected to make operational decisions for the safety of youth and staff.

### ***Youth Centers***

The decision to place youth in out-of-home placement is made by the courts. The JJMU cites an invalid concern regarding lengthy out of home placements for the Youth Centers. The average length of stay at the Youth Centers in FY 2015 was four months. The Youth Centers provide the level of programming and services as described in the “Cohesive Treatment Planning” section of this response.

The 120% increase in incidents of suicidal ideation represent an increase from 0 to 12 incidents across four Youth Centers for the first quarter when compared to the same period last year. All verbalizations of suicidal ideation, no matter the intent or circumstance, are responded to in the same manner. Supervision levels have been increased and all youth receive an assessment by clinical staff. All direct care staff is trained in the Department’s suicide prevention procedures and Mental Health First Aid, an evidence based skill building training for responding to youth mental health crisis situations. Efforts to engage families include facility family day activities, phone conferencing, video conferencing, home visits and flexible visitation hours. DJS has also established a family engagement coordinator position that works with all aspects of the department to increase engagement opportunities. The Department has established a computerized application to make agency contact and visitation information electronically assessable for families.

Recruitment efforts to fill vacancies at the Youth Centers have included print and radio announcements. The staffing ratio recommended by JJMU of one staff for every four youth is neither required for the population served nor fiscally responsible. It also far exceeds all national standards and the federal Prison Rape Elimination Act (PREA) residential standards of one staff for every eight youth.

### ***Education***

JJMU inaccurately reports that only youth at Backbone Mountain Youth Center are afforded an opportunity for post-secondary education services. DJS partners with Garrett Community College for continuing education services. The program is located at Backbone Mountain Youth Center. All youth assigned to one of the four Youth Centers are screened for participation in the Garrett College Program. Eligible youth are initially placed at Backbone or are transferred to Backbone when eligible, thereby affording all Youth Center youth the opportunity for participation. The program includes on-grounds and Garrett campus instruction.

### ***Aftercare Services***

Each youth is assigned a community case manager who works with the youth and the youth’s family to develop a placement plan and the provision of services during aftercare supervision. The Department has developed and is implementing an agency Strategic Re-Entry Plan to improve youth transition back to the community. The Department has designated a re-entry specialist for each region of the state who have a focus of determining community resources to support youth and families, to include school transition, employment and ongoing treatment services. DJS has worked collaboratively with the Maryland Department of Education (MSDE) to develop and implement a school transition memorandum of understanding to ensure that youth re-enrollment is as successful as possible.

### *Recreation*

Indoor and outdoor recreational opportunities are robust. Each facility has an assigned recreation specialist who develops monthly activities. All committed youth participate in the Reflections Camping Program on a five week rotating basis. The Reflections Camping Program, located at Meadow Mountain is a structured therapeutic recreational program that includes core components of a ropes course, camping, mountain biking, and hiking. Youth also have the opportunity to participate in CHAMPS (Changing Habits and Making Progressive Strides), the DJS intramural program. The program offers sports, art and intellectual competitions among DJS facilities. Youth also have opportunities for community service activities such as assisting local food banks and outreach centers.

### *J. DeWeese Carter Center*

Incidents have remained low at the Carter Center, the only state operated treatment facility for females. Girls placed at the Carter Center receive extensive assessments by DJS evaluation teams and have been determined by the court to need a hardware care facility to address their security and treatment needs. The average length of stay at Carter during FY 2015 was six months. Placements at Carter decreased 13% between FY2014 and FY2015.

Committed placements system-wide for girls decreased 29.5% between FY 2013 and FY 2015. In FY 2015, there were 196 girls in committed placements, of which 23 girls were placed in hardware secure programs, the deepest end of the juvenile system. The Department utilizes evidence-based services to help keep youth, girls and boys, in their communities when appropriate to do so.

### *William Donald Schaefer House*

The William Donald Schaefer House will be closing the end of this fiscal year. Programming at Schaefer House was dedicated to substance abuse services for male youth from across the state. The Department's most intensive level of services as established by the American Society of Addiction Medicine (ASAM), Level III.3 was provided at Schaefer House and will be re-established at Meadow Mountain Youth Center. The Level III.3 programming at Meadow Mountain has been evaluated and approved for implementation by the Department of Health and Mental Hygiene. Meadow Mountain will be dedicated to solely serving the needs of youth requiring substance abuse services.

### *Detention Center Responses*

#### *Baltimore City Juvenile Justice Center*

Fights and assaults increased by 42% and physical restraints increased by 37%, however, the use of mechanical restraints decreased by 43% during the first quarter when compared to the same period last year. Detention center populations constantly change which will often correlate with changes in the levels of aggression that must be managed. The administration, behavioral health and case management staff have implemented appropriate interventions to address youth conflict.

JJMU recommends the relocation of all behavioral health staff offices within the detention center. The Baltimore City Justice Center houses the detention center, the juvenile courts and community case management. There is limited office space in the detention center, and for that reason behavioral health staff who provide intervention services are located in detention close to youth, and behavioral

health staff who conduct evaluations are located off the unit. The location of staff does not impair services youth.

### ***Cheltenham Youth Facility***

The reported increases in aggressive behavior have been appropriately addressed by management and behavioral health staff. DJS appreciates JJMU's recognition of the operation of the Intensive Service's Unit at Cheltenham as a model for DJS facilities.

Group movement on the campus at Cheltenham and all DJS facilities after dark is a prohibited practice due to associated security risks. JJMU reports that youth in the ISU did not have activities scheduled in the gym on several occasions. Recreation activities are not always scheduled in the gym. In addition to the gym, activities may be scheduled in the living unit, in the recreation yard attached to each living unit, and the campus courtyard. Recreation logs indicate that youth were not denied access to large muscle activities.

DJS appreciates JJMU'S acknowledgement of the collaborative work between mental health clinicians and direct care staff at Cheltenham.

### ***Charles H. Hickey School***

Incidents of fighting and assaults decreased, and the use of seclusion decreased significantly by 74% during this quarter when compared to the same time last year. The Department continues to ensure that all staff is trained in crisis prevention management, mental health first aid, and de-escalation techniques to increase skills to intervene appropriately with youth.

### ***Thomas J. S. Waxter Children's Center***

Physical restraints increased by 25% (40 to 50), the use of mechanical restraints increased from 4 to 9, seclusion increased from 5 to 12 and suicide ideation incidents increased from 26 to 36. During the first quarter Waxter has received and managed multiple youth with highly aggressive behaviors. Management, case managers and behavioral health staff have worked to screen youth for mental health services and to secure appropriate community services as needed.

All youth placed in detention are screened at admissions utilizing the Massachusetts Youth Screening Instrument (MAYSI) to identify youth who may require immediate mental health care. A more extensive evaluation is completed by mental health staff as part of the Multi-Disciplinary Assessment Staffing Team (MAST) process. Throughout a youth's stay in detention behavioral health staff are available and responsive to the needs of youth. When behavioral health staff determine a youth has intensive mental health needs that cannot be met at the facility, the youth is referred for hospitalization and/or placement in an intensive mental health services facility.

All direct care staff are trained in the department's suicide prevention policy and procedures. Staff are trained to respond to verbalizations, self-injurious behaviors and suicide gestures by providing one to one supervision, and referring youth for a mental assessment by clinical staff. Direct care staff is also trained in the Youth Mental Health First Aid, an evidence-based model designed to teach staff how to help an adolescent who is experiencing a mental health or addictions challenge or is in crisis. The

course introduces common mental health challenges for youth, reviews typical adolescent development, and teaches a 5-step action plan for how to help youth in both crisis and non-crisis situations. Topics covered include anxiety, depression, substance use, disorders in which psychosis may occur, disruptive behavior disorders (including AD/HD), and eating disorders.

The Department is actively recruiting to fill vacant direct care positions. The assistant superintendent and recreation specialist positions have been filled.

#### ***Alfred D. Noyes Children's Center***

Incidents at Noyes have decreased significantly this quarter when compared to the same time last year. Youth on youth assaults and fights decreased 50%, physical restraints decreased 42% and the use of mechanical restraints decreased 41%. DJS appreciates the recognition by JJMU of the increased staff training, improved incident audit procedures and the facility's outreach with community organizations.

#### ***Lower Eastern Shore Children's Center***

The Department appreciates JJMU's recognition of LESCO as a safe and well-manage facility with a therapeutic environment.

#### ***Western Maryland Children's Center***

The average daily population at the facility increased by 54% during this quarter when compared to the same time last year. Fights and assaults increased from 2 to 18 and physical restraints increased from 20 to 34. The increase in restraints correlates to the increased level of aggressive behavior at the facility. All incidents of restraint are reviewed by the facility administration and surveillance where available is archived. Staff must respond with physical restraints to protect the youth and others when intervening with a more aggressive population.

#### ***Silver Oak Academy (Response submitted by Silver Oak)***

Silver Oak Academy (SOA) is a privately operated staff secure group home licensed by the Department. Incidents of aggression remain low.

Per policy and procedures, there are two awake night staff per 24 youth, plus one sleep over staff per 24 youth on the floor each night. SOA was out of compliance with the program's policy and procedures. Staffing has been corrected. SOA has implemented a no exception rule to the two staff on the floor at all times.

SOA has implemented all staff training and youth training in the evidenced based "Nonviolence Program" to support with the bullying and youth with gang affiliation. SOA has increased the emphasis on increasing staff interaction with youth to decrease opportunities for bullying behaviors. SOA's visitation program, family groups and individual family therapy have supported our student development well; and academics have done well. Increasing family visits to twice per week is almost accomplished with the sports activities that all youth have to engage in, and family attendance is encouraged.

The average daily population has increased over the last three years by ten youth. In 2013, SOA was using an established behavior management system Positive Peer Culture. The program used peer intervention and group accountability as its foundation for token economy. It was a very user friendly system that allowed for staff and youth to learn it, use it and relate it to day to day situations. The staff was seasoned veterans who had been trained for over five years in the program implementation. The milieu of the program was better managed at that time with the behavior management system along with the trained staff.

In 2014 and 2015, SOA replaced their Positive Peer Culture program behavior system with a treatment focus on the cognitive distortions, increasing protective risk factors, decreasing risk to reoffend and going to a more social skills model that was individually focused in its approach. The other variable has been hiring and training staff to have the tools necessary to engage youth in the program's behavior management system. SOA has increased their focus on the training of staff, and refocused their efforts to create a positive organizational culture with a focus on the behavior management system (token economy) and tools necessary to build a positive culture where youth work together to help each other and staff have the ability to ensure the safety of students by ensuring that youth are using the behavior management system to handle issues, versus resorting to their current level of social skills to solve issues.

All incident reports and witness statements will be reviewed by the Program Director or his designee to ensure that if any student is alleging mistreatment and/or abuse it will be reported according to COMAR Regulations and the state abuse reporting guidelines. All staff are mandated reporters and are trained to report all issues. Silver Oak will ensure that all staff that violates the code of ethics by not confronting staff or youth will be held accountable to the disciplinary process up to termination. SOA is planning to engage the hiring process to be more critically focused on the skills needed to implement the behavior management system. The 90 day probationary period will be the period that staff will have to complete certification requirements (100%) competency in program implementation in order to progress to permanent employment and this includes ensuring that youth and staff are safe at all times.



200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • [msde.maryland.gov](http://msde.maryland.gov)

## MSDE Response to the Juvenile Justice Monitoring Unit's First Quarter Report

The Maryland State Department of Education (MSDE) and Juvenile Services Education System (JSES) appreciates the Juvenile Justice Monitoring Unit's (JJMU) detailed first quarter report regarding the provision of educational services within Department of Juvenile Services' residential facilities. As stated in earlier responses to JJMU reports, MSDE continues to share the JJMU opinion that additional resources are required to ensure the students within Maryland's juvenile justice system receive instructional services commensurate with that of their peers within the local school systems in Maryland.

MSDE however, strongly disagrees with the JJMU assertion at page 40 that there is no *functional educational* program in DJS facilities. MSDE acknowledges that it has challenges recruiting, hiring, and retaining qualified personnel. However, JSES' highly committed teachers, principals, and administrative personnel work tirelessly to ensure students receive quality educational services in DJS facilities. Education and progress towards a high school diploma are critical to the rehabilitation and treatment objectives of the Juvenile Services Education System.

MSDE/JSES disagree that students do not have access to the courses required for a Maryland high school diploma, including foreign language instruction. The JSES curriculum is aligned with Maryland College and Career Readiness Standards and the courses taught are required for a Maryland diploma. Students have taken on-line foreign language courses in JSES schools to meet the foreign language requirement. Moreover, credits students' earn in transfer to local schools.

MSDE/JSES acknowledges ongoing challenges, particularly with recruiting, hiring and retaining personnel. MSDE is addressing its challenges through a series of strategies including:

- adopting School Spring, an on-line teacher specific recruiting service, in order to widen recruitment efforts in the teaching community;
- developing a calendar adjustment to align the JSES calendar more like the traditional local school system calendar;
- working to implement hiring and retention bonuses for teachers;
- filling newly acquired 21 permanent position with additional guidance counselors and teachers;
- continued implementation of the comprehensive strategic plan and verification process by Dr. Peter Leone; and
- Procuring new technology for students and teachers.

The JJMU report addresses the lack of post-secondary options for youth. On page 41, the report states "DJS facilities do not have access to post-secondary education, with the exception of eligible boys who are placed at Backbone Mountain Youth Center." JSES is in the process of implementing a post-secondary option for youth who have earned a high school diploma or the GED with various community colleges.