

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

2012 ANNUAL REPORT



NICK MORONEY
Director

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

January 2013

The Honorable Thomas V. Miller, Jr., President of the Senate
Maryland General Assembly, H107 State House
Annapolis, MD 21401

The Honorable Michael E. Busch, Speaker of the House
Maryland General Assembly, H101 State House
Annapolis, MD 21401

The Honorable Sam J. Abed, Secretary
Department of Juvenile Services, One Center Plaza, 120 West Fayette Street
Baltimore, Maryland 21201

Ms. Anne Sheridan, Executive Director
Governor's Office for Children, Office of the Governor
301 W. Preston Street, Suite 1502
Baltimore, MD 21201

Members of the State Advisory Board on Juvenile Services
c/o Department of Juvenile Services, One Center Plaza, 120 West Fayette Street
Baltimore, MD 21201

Dear Mr. President, Mr. Speaker, Sec. Abed, Ms. Sheridan, and State Advisory Board Members:

Enclosed please find the 2012 Annual Report of the Juvenile Justice Monitoring Unit (JJMU). The report covers systemic issues over the 2012 calendar year with a facility update section that incorporates findings through the fourth quarter of 2012. The Department of Juvenile Services (DJS) Response to the report is also included, as indicated on the contents page.

I would be pleased to answer questions about this report. I can be reached by email at nmoroney@oag.state.md.us and by phone at 410-576-6599 (office) or 410-952-1986 (cell). All current and previous reports of the Juvenile Justice Monitoring Unit are available via link on our website at www.oag.state.md.us/jjmu.

I look forward to continuing to work with you to enhance programs and services provided to the youth of Maryland.

Respectfully submitted,

Nick Moroney

Nick Moroney
Director
Juvenile Justice Monitoring Unit

Cc: The Honorable James Brochin, Maryland State Senate
The Honorable Joan Carter Conway, Maryland State Senate
The Honorable Brian Frosh, Maryland State Senate
The Honorable Lisa Gladden, Maryland State Senate
The Honorable Nancy Jacobs, Maryland State Senate
The Honorable Edward Kasemeyer, Maryland State Senate
The Honorable Delores Kelley, Maryland State Senate
The Honorable Nancy King, Maryland State Senate
The Honorable James Mathias, Maryland State Senate
The Honorable Anthony Muse, Maryland State Senate
The Honorable Victor Ramirez, Maryland State Senate
The Honorable Robert Zirkin, Maryland State Senate
The Honorable Norman Conway, Maryland House of Delegates
The Honorable Kathleen Dumais, Maryland House of Delegates
The Honorable Adelaide Eckardt, Maryland House of Delegates
The Honorable Ana Sol Gutierrez, Maryland House of Delegates
The Honorable Susan Lee, Maryland House of Delegates
The Honorable Anthony O'Donnell, Maryland House of Delegates
The Honorable Samuel Rosenberg, Maryland House of Delegates
The Honorable Luiz Simmons, Maryland House of Delegates
The Honorable Nancy Stocksdales, Maryland House of Delegates
The Honorable Joseph Vallario, Maryland House of Delegates
The Honorable Jeff Waldstreicher, Maryland House of Delegates
The Honorable Nancy Kopp, Treasurer's Office
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2012 ANNUAL REPORT

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¹ For the MSDE Response to this report, see page 57

Maryland Juvenile Justice Monitoring Unit ANNUAL REPORT FOR 2012

Introduction

The Juvenile Justice Monitoring Unit (JJMU) Annual Report for 2012 discusses treatment of and services provided to Maryland youth in Maryland Department of Juvenile Services (DJS/the Department) directly run and DJS licensed facilities throughout the State.

The report details progress made during 2012 by the Department on reducing detention center population through the use of appropriate alternatives. A decrease in facility violence across the system in 2012 compared with 2011 is quantified in the incident report charts.

There are also sections on the availability of services for female youth and the utilization of proven or evidence based services.

In addition to system-wide data, there are update reports for each monitored facility which include information covering the last quarter of the 2012 calendar year.

Readers are referred to our website at www.oag.state.md.us/jjmu for copies of this report and all other reports of the Independent Juvenile Justice Monitor and related responses from DJS covering the years from 2002 to the present.

The Juvenile Justice Monitoring Unit (JJMU) respectfully submits this report to the Governor, members of the General Assembly, the Secretary of Juvenile Services, and members of the State Advisory Board on Juvenile Services as required by *Md. State Govt. Code Ann. §6-404 et seq. (Replacement Volume 2009)*. The year 2012 marks the twelfth anniversary of the creation of the Independent Monitor's Office (established in 2000) and this document is the tenth annual report since codification of the office in 2002.

The JJMU Annual Report for 2012 was produced by the staff of the Maryland Juvenile Justice Monitoring Unit – Nick Moroney, José Saavedra, Tim Snyder and Eliza Steele.

I. Detention Center Population and Wait Time for Placement

FACILITY	DJS-Set Capacity	High Population 2011/2012	Low Population 2011/2012	Average Population 2011/2012	Days Over Capacity 2011/2012
BCJJC	120	130/123	94/53	115/98	110/17
CYF	115	135/128	91/72	114/104	158/65
HICKEY	72	97/92	51/39	74/60	212/79
LESCC	24	31/33	11/15 ²	23/19	173/195
NOYES	57	65/63	27/32	44/49	9/31
WAXTER	42	53/43	12/12	32/31	28/54
WMCC	24	30/36	17/14	25/22	201/100

Data tabulated above indicates extensive declines in daily population during 2012 at the largest DJS detention centers (BCJJC, CYF, Hickey). The downward trend in the use of secure detention is one of the most positive developments in the Maryland juvenile justice system for many years. While the secure detention population fell considerably, smaller centers continued to be overpopulated.

The drivers pushing down secure detention populations included the utilization of appropriate alternatives to pre-adjudication secure detention and a lessening of the time

² Lowest population for LESCC in 2012 was 15 except on several days when LESCC youth were briefly and successfully evacuated to another facility in preparation for a weather related emergency. For accuracy, the low population number includes LESCC youth in detention status during evacuation.

youths spend post-adjudication waiting for a treatment slot to open up (pending placement).

Even with a reduction in pending placement waiting time, Cheltenham Youth Facility in Prince George’s County remains overcrowded. Two of the three remaining CYF residential units, Rennie and Henry, house older, bigger, and more challenging youth and these units continued to be overcrowded throughout 2012. The two units hold many more youth than stated DJS unit capacity allows. Two youths sleep in many of the cells – one on a plastic boat bed placed on the floor. Each youth should have an individual cell.

CHELTENHAM YOUTH FACILITY (CYF) by unit on January 7, 2013	DJS RATED YOUTH CAPACITY	NUMBER OF YOUTH RESIDENTS
Rennie Cottage	24	31 (+30%)
Henry Cottage	24	33 (+36%)
Cornish Cottage	24	17
Infirmary³	14	4
Re-Direct (Murphy Cottage) [closed February 2010]	24	0
Shelter House [closed February 2010]	5	0
Total Youth at CYF	115	85

Of 85 youth at CYF on January 7, 2013, 24 youths or 28% of the population were waiting to be placed elsewhere (pending placement). Time spent in pending placement status in a detention center does not count towards completion of a treatment program.

In the years before 2012, 40 to 50% of the population at Cheltenham (and at BCJJC in Baltimore City) were pending placement. Although the pending placement situation has improved considerably with fewer youth stuck waiting in detention for a program slot, there were still a large number of youth who spent two months or even longer waiting at CYF before leaving for a program. The Department and the Courts should continue to cut the

³ The 115 capacity number set by DJS for CYF includes 14 slots in the infirmary which has six cells. The infirmary should not be included in the capacity figure (per best practices) and youth housed there should have individual sleeping quarters. Additionally, the CYF facility capacity should accord with CYF individual unit capacity figures. If the facility rating did not include the infirmary and was based on individual unit capacity figures, CYF capacity would be 72 youth. CYF held an average of 104 youth during 2012.

numbers of youth stuck in detention through the comprehensive use of proven alternatives to secure detention and expanded use of local treatment resources.

CYF	Youth in Pending Placement – January to December 2012
60 days and over	Total = 109 youth
Days Spent Pending Placement in Detail	(60, 61, 62, 62, 62, 62, 62, 62, 63, 64, 64, 64, 64, 65, 65, 66, 66, 67, 68, 68, 69, 69, 69, 70, 70, 70, 70, 71, 71, 71, 71, 71, 71, 72, 73, 74, 74*, 76, 76*, 77, 77, 77, 77, 77, 77, 78, 78, 78, 78, 78, 78*, 79, 79, 79, 80, 80, 82, 83, 83, 83*, 84, 84, 86, 86, 86, 86, 87, 87, 87, 88, 89, 89, 92, 93, 93, 93, 93, 93, 94, 94, 99, 99, 99, 100, 100, 103, 104, 106*, 107, 108, 108, 108, 109, 112, 112, 113, 114, 117, 118, 118, 119, 123, 124, 132, 133, 134, 144, 157, 160, 169, 187 and 188 days)

*Youth still at CYF as of January 7, 2013

In the table above, each number in parenthesis under pending placement represents the length of time a youth waited at CYF before leaving to begin a treatment program. Whether a youth spends 1 day or 188 days waiting at CYF, time waiting does not count toward Court-mandated treatment time.

The Department should continue to work on shortening wait time before treatment however, it is important to acknowledge the major gains made during 2012 in reducing the number of youth stuck in pending placement status for long periods. The gains are evident when examining the pending placement population at the Baltimore City juvenile detention center (BCJJC) during 2011 and comparing the numbers with those in 2012.

The two tables on the next page show youths waiting at BCJJC during 2011 (first table) and 2012 (second table). The much lower number of youth stuck waiting at BCJJC during 2012 versus 2011 demonstrates the important gains made in reducing wait time for youths pending placement in Baltimore City.

BCJJC	Youth in Pending Placement – January to December 2011
60 days and over	Total = 199 youth
Days Spent Pending Placement in Detail	60, 60, 60, 60, 61, 61, 63, 63, 63, 63, 63, 63, 64, 64, 64, 64*, 65, 65, 65, 66, 66, 67, 67, 67, 67, 67, 67, 67, 68, 68*, 69, 69, 69, 69, 69, 69, 69, 69, 69*, 70, 70, 70, 70, 70*, 70*, 71, 71, 72, 72, 72, 72*, 73, 74, 74, 75, 75, 75, 75, 75, 75*, 75*, 76, 76, 76, 76, 77, 77, 78, 78, 78, 78, 78, 79, 79, 79*, 82, 82, 82, 82, 83, 83, 84, 84, 84, 84, 85, 85, 85, 85, 86, 86, 86, 86, 86, 86, 87, 88, 89, 90, 90, 90, 91, 91, 91, 91, 92, 92*, 93, 93, 93, 93, 93, 93*, 94, 94, 94, 94*, 95, 95, 95*, 96, 96, 97, 97, 97, 97, 98, 99, 100, 100, 101, 101, 101, 101*, 102, 102, 103, 104, 105, 105, 105, 105, 106, 106, 106, 107*, 109, 109, 110, 111, 112, 113, 113*, 14, 116, 116, 116, 117, 117, 117, 117, 118, 119, 120, 121*, 122, 123, 124, 124, 126, 126, 127, 127, 127*, 128, 129, 129, 129, 130, 131, 131, 133, 135, 139, 140, 141, 141, 143, 144, 145, 145, 146, 156, 159, 166, 169*, 172, 177, 190 and 198 days

*Youth still at BCJJC as of data collection date (January 11, 2012).

BCJJC	Youth in Pending Placement – January to December 2012
60 days and over	Total = 128 youth
Days Spent Pending Placement in Detail	60, 60, 60, 60*, 61, 63, 63, 64, 64, 64, 64, 64, 65, 65, 65, 66, 66, 66, 67, 68, 68, 68, 68, 68, 69, 69, 69, 69*, 69*, 70, 70, 70, 71, 72, 72, 72, 73, 73, 73, 73, 75, 75, 76, 76, 77, 77, 77, 77, 80, 80, 81, 82, 83, 83, 83, 83, 84, 85, 85, 85, 86, 86, 87, 87, 88, 88, 89, 89*, 90, 90, 91, 92, 94, 95, 95*, 95*, 96, 100, 101, 102, 103, 105, 107, 107, 108, 109, 109, 111, 112, 113, 113, 114, 114, 116, 118, 118, 119, 119, 119, 119*, 121, 121*, 123, 129, 131, 134, 135, 135, 139, 139, 142, 142, 145, 145, 153, 163, 166, 171, 174, 175, 176, 179, 180, 189, 194*, 206, 209 and 217 days

*Youth still at BCJJC as of data collection date (January 7, 2013).

The contrasting numbers in the tables above indicate impressive gains in reducing lengthy wait times for youth at BCJJC waiting for program slots to open up. There has been a considerable decline in numbers of youth waiting two months or longer in 2012 versus 2011. The Department, the Juvenile Detention Alternatives Initiative of the Annie E. Casey Foundation and the courts have together reinvigorated efforts to identify proven and appropriate alternatives to secure detention so non-violent youth are not stuck in the inappropriate and expensive BCJJC maximum security environment.

There has also been noticeable gains in reducing the numbers of youth in long term pending placement at Cheltenham Youth Facility (CYF) in Prince George's County.

Until 2012, the numbers of youth stuck for months awaiting placement at Cheltenham grew every year despite reductions in the number of youth entering the facility. In 2012, the numbers of youth stuck for long periods awaiting placement was less than in 2011 (see the table below). The Department needs to institutionalize this positive reversal.

**Youth at Cheltenham Awaiting Treatment
Two Months or Longer**

YEAR	PENDING PLACEMENT 60 DAYS OR MORE	TOTAL YOUTH ENTRIES
2012	109	2071
2011	117	2221
2010	94	2400
2009	78	2856

While the numbers of youth stuck at Cheltenham waiting for treatment has declined with the Department's concentration on moving youth to treatment without delay, the overall CYF population has not declined to the same extent as the youth populations at BCJJC or Hickey.

**Youth at Cheltenham in Detention Status
Two Months or Longer**

YEAR	DETENTION STATUS 60 DAYS OR MORE	TOTAL YOUTH ENTRIES
2012	62	2071
2011	53	2221
2010	38	2400
2009	36	2856

The table above shows that, although overall youth entries have declined each of the past four years, the numbers of youth held in detention status (pre-adjudication) at CYF for two months or longer has increased during each of the past four years.

The growth is occurring because ever increasing numbers of youth are being sent to CYF through the Prince George's County Courts and Metro Region DJS case management system each year. This unfortunate growth in the use of secure detention in Prince George's County is reflected in the number of youth in detention status at CYF who were stuck there during 2012 for two months or even longer.

The Department should insure the institutionalization of efforts to reduce unnecessary secure detention of youth and replicate the JDAI initiative in Prince George's County and throughout the state. Detention centers should always be the choice of last resort as they do not offer individualized treatment and are a drain on budgetary resources.

Comprehensive use of appropriate detention alternatives would lower the population at CYF. A lasting solution to excessive lengths of stay at CYF should also include increased usage of in-state, community-based treatment options for youth.

II. Capital Planning and Alternatives to Detention

Maryland needs small and specialized community-based juvenile treatment programs and small, modern and purpose built juvenile detention facilities. Current DJS capital planning involves building two new detention centers with a total of 120 beds to replace Cheltenham Youth Facility in Prince George's County - one at Cheltenham (72 beds) and another in southern Maryland (48 beds). If youth were to be moved to community-based and residential placements more expeditiously, there would be no need for a new 72-bed detention facility at Cheltenham. A 48-bed detention facility would be sufficient if appropriate alternatives to detention were comprehensively utilized and youth were moved out of detention and into treatment without undue delay. Utilization of alternatives to detention and expanding the use of community-based treatment would also mean there would be no need for a new detention center in southern Maryland.

Construction of the 72-bed detention center at Cheltenham is welcome in that it will replace the outdated and overcrowded buildings currently used to house youth. Construction of the Cheltenham detention center is set to begin in September of 2013. Initial planning also included two treatment centers - one in Baltimore City and one at Cheltenham. Construction of a treatment center at Cheltenham (or, better still, a number of smaller specialized facilities) and a similar plan in or near Baltimore City should be prioritized over the building of large detention centers.

Expanded usage of appropriate community-based alternatives to detention throughout the State would further reduce detention center populations and ensure the State does not pay more than necessary for care and supervision. Expansion of day and evening reporting centers is continuing with the opening of a reporting center in Montgomery County during 2012. Reporting centers are now available in Baltimore City, Prince George's county and Montgomery County. More reporting centers should be opened and enhanced, supportive, supervision in the community should also be utilized so that proven alternatives to secure detention are available throughout the State.

The Department should continue to work with the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI) and should expand JDAI into Prince George's County and around Maryland. Youth who qualify for non-secure placements should wait elsewhere with support and not languish in an expensive, maximum security detention environment. With less youth inappropriately placed in detention centers, the State would need fewer detention beds. Those who are waiting to go to a non-hardware secure (not high security) program could safely wait in the community with enhanced support and supervision (as provided to youth in the Violence Prevention Initiative [VPI] program). Some youth could also be offered temporary foster home placement with intensive therapy, in collaboration with the Maryland Department of Human Resources (DHR).

Small and specialized treatment centers should be available to be used when (and only when) youth cannot be served in community-based treatment settings. The utilization of evidence-based or proven programs should be increased.

III. Safety and Security – Incident Report Charts

Levels of violence diminished substantially during 2012 at the three most populous DJS detention centers: the Baltimore City Juvenile Justice Center (BCJJC); the Cheltenham Youth Facility (CYF) in Prince George’s County; and the Charles H. Hickey, Jr., School (Hickey) in Baltimore County. The charts on the following pages contain information on the numbers of reported incidents involving alleged aggression, potential self-harm and contraband finds at the larger detention facilities and a treatment center (the Victor Cullen Center), all of which are operated by DJS. NOTE: “Injury Associated” includes injuries to staff and/or youth and includes injuries preceding as well as during or resulting from an incident.

(1) Baltimore City Juvenile Justice Center

Reductions continue in the number of total reported incidents at the Baltimore City Juvenile Justice Center (BCJJC). In 2012, there were 918 compared to 1181 in 2011 (and 1213 in 2010).

BCJJC - Selected Incident Categories	2011	2012
1. Youth on Youth Assault	352	264
2. Youth on Youth Assault – Injury Associated	203	150
3. Youth on Staff Assault	47	28
4. Alleged Youth on Staff Assault – Injury Associated	15	11
5. Group Disturbances (injury/destruction associated)	31	20
6. Group Disturbances (without injury/destruction)	7	1
7. Restraints	591	428
8. Restraints with handcuffs	186	136
9. Contraband	49	42
10. Suicide Ideation, Gesture, Attempt or Behavior	27	34

(2) Cheltenham (CYF)

In 2012, there were 903 total incidents (including sports related injuries) reported from Cheltenham, a 15% reduction over 2011. The table below enumerates alleged inappropriate behavior, aggression, or potential self-harm detailed in incident reports during 2011 and 2012.

CYF – Selected Incident Categories	2011	2012
1. Youth on Youth Assault	370	259
2. Youth on Youth Assault – Injury Associated	151	94
3. Youth on Staff Assault	44	36
4. Alleged Youth on Staff Assault – Injury Associated	16	10
5. Group Disturbances (injury/destruction associated)	65	17
6. Group Disturbances (without injury/destruction)	7	2
7. Restraints	555	454
8. Restraints with handcuffs	44	36
9. Contraband	14	21
10. Suicide Ideation, Gesture, Attempt or Behavior	74	48

The chart indicates significant reductions in all incident categories apart from contraband (contraband discovery is arguably a positive) at CYF during 2012 compared with 2011.

(3) Hickey

HICKEY - Selected Incident Categories		
	2011	2012
1. Youth on Youth Assault	236	153
2. Youth on Youth Assault – Injury Associated	137	64
3. Youth on Staff Assault	41	22
4. Alleged Youth on Staff Assault – Injury Associated	14	7
5. Group Disturbances (injury/destruction associated)	7	3
6. Group Disturbances (without injury/destruction)	6	4
7. Restraints	254	249
8. Restraints with handcuffs	13	18
9. Contraband	34	6
10. Suicide Ideation, Gesture, Attempt or Behavior	66	49

The Charles Hickey, Jr., School for Boys (Hickey) reported a total of 731 incidents in 2012, significantly fewer than the 1005 in 2011, even allowing for a reduction in the average population. However, the number of physical restraints of youth remained high and handcuffs were used more often in 2012 during or following a restraint than in the previous year.

(4) Noyes

Incident reports at Noyes tend to be fairly low, considering the dual challenges of overpopulation and coed housing. Reported incidents of assault among youths remained high but decreased in 2012 compared with 2011.

The total number of reported incidents at Noyes in 2012 was 268 compared with 339 in 2011.

NOYES – Selected Incident Categories	2011	2012
1. Youth on Youth Assault	97	84
2. Youth on Youth Assault – Injury Associated	68	53
3. Youth on Staff Assault	20	14
4. Alleged Youth on Staff Assault – Injury Associated	6	6
5. Group Disturbances (injury/destruction associated)	5	1
6. Group Disturbances (without injury/destruction)	4	3
7. Restraints	189	139
8. Restraints with handcuffs	15	6
9. Contraband	13	8
10. Suicide Ideation, Gesture, Attempt or Behavior	24	21

(5) Waxter

In November 2011, the committed program at Waxter relocated to the Carter Center in Chestertown, Maryland. The removal of the committed juvenile population from Waxter was a positive development, but the change in the composition of the population means incident data from Waxter in 2011 is not directly comparable to data from 2012. The table below therefore compares incidents at Waxter during the first and fourth quarters of 2012.

WAXTER – Selected Incident Categories	Q1 2012	Q4 2012
1. Youth on Youth Assault	32	24
2. Youth on Youth Assault - Injury Associated	22	2
3. Alleged Youth on Staff Assault	9	5
4. Alleged Youth on Staff Assault – Injury Associated	2	0
5. Group Disturbances (injury/destruction associated)	0	0
6. Group Disturbances (without injury/destruction)	0	0
7. Restraints	70	46
8. Restraints with Handcuffs and/or Shackles	2	2
9. Contraband	7	6
10. Suicide Ideation/Gesture/Attempt/Behavior	12	9

Total incidents decreased from 170 to 112. Violence fell significantly despite an increase in average daily population from 30 to 32. Physical assaults involving injury dropped dramatically suggesting a significant decline in facility wide violence. The drop in restraints between the first and fourth quarters is also notable. During the fourth quarter, 19 of the

physical restraints involved a specific youth. Excluding the 19 restraints from the count yields a 60% decrease in restraints between the first and fourth quarters of 2012.

(6) Victor Cullen Center

The table below details instances of aggression, potential self-harm and contraband findings contained within reported incidents from Victor Cullen during 2011 and 2012. Significant reductions are indicated in all categories apart from suicide ideation and the use of mechanical restraints.

VICTOR CULLEN – Selected Incident Categories	2011	2012
1. Youth on Youth Assault	94	69
2. Youth on Youth Assault – Injury Associated	23	9
3. Youth on Staff Assault	73	33
4. Alleged Youth on Staff Assault – Injury Associated	4	0
5. Group Disturbances (injury/destruction associated)	2	0
6. Group Disturbances (without injury/destruction)	4	0
7. Restraints	346	287
8. Restraints with handcuffs	199	195
9. Contraband	49	13
10. Suicide Ideation, Gesture, Attempt or Behavior	6	9

There were 471 incidents reported for Victor Cullen in 2012 (including sports related injuries). This figure represents a 27% drop from a total of 649 in 2011.

Incidents at smaller facilities

Reported incidents remained low during 2012 at smaller DJS-operated detention and treatment facilities: the Lower Eastern Shore Children’s Center (detention center for male youth); the Western Maryland Children’s Center (detention center for male youth); and the J. DeWeese Carter Center (treatment center for female youth).

IV. Services For Female Youth

In 2012 DJJ made progress in reducing the disparity between services for boys and girls, however some significant hurdles remain.

The separation of the committed and detention programs proved to be a positive change as violence levels have decreased significantly at Waxter. The move also allows for the development of a treatment program - distinct from detention - at the Carter Center on the eastern shore.

The success of the Carter program will largely depend on the Department's ability to address the treatment needs of girls in the setting of a hardware secure facility. Generally, female youth in the juvenile justice system are "disproportionately 'high need' and 'low risk,'" ⁴ which makes individualized, effective treatment of female youth difficult to achieve when they are subject to the nature of confinement in a hardware secure facility such as Carter (which was converted to a treatment center for girls from a detention center for boys).

According to the (Federal) Attorney General's Task Force on Children Exposed to Violence report published in December of 2012, "[c]onfinement has been shown to exacerbate the symptoms of posttraumatic stress disorder (PTSD) through experiences that reactivate memories or past traumatic violence, such as being handcuffed, restrained, and searched."⁵ Residents at Carter continue to be shackled during transport to/from and during medical and dental appointments as well as to take part in GED testing. Such practice is counter to the fundamentals of trauma informed care and alternative arrangements should be made such as increasing staff supervision levels – if such enhanced supervision is necessary.

The program at Carter employs a system of behavior modification called Challenge. The Department should make certain that the components of Challenge are applied in a way that integrates the individual treatment needs of residents. The Department should also ensure that the behavior program does not in any way run counter to the trauma informed treatment program it is seeking to implement at Carter.

The staff at Carter has been trained in the Attachment, Self-Regulation and Competency (ARC) model of trauma informed care – this positive development should continue. Ongoing trainings should also include education on female development and emphasize the dual role that staffers should play as both caregivers and supervisors, as

⁴ See page 1 of "Improving the Juvenile Justice System For Girls: Lessons From the States," by L. Watson and P. Edelman: Washington, D.C., Georgetown Center on Poverty, Inequality, and Public Policy (October 2012). The report is accessible at http://www.law.georgetown.edu/academics/centers-institutes/poverty-inequality/upload/JDS_V1R4_Web_Singles.pdf

⁵ See page 112 of "The Attorney General's National Task Force on Children Exposed to Violence – Defending Childhood" (December 2012). The report can be accessed at <http://www.justice.gov/defendingchildhood/cev-rpt-full.pdf> and includes definitions of services and practices surrounding trauma-informed care.

recommended in a 2012 report on girls in the juvenile justice system.⁶

Strengthening of the program at Carter is underway however, a comprehensive gender-responsive program at Carter would encompass the following components: provision of significantly more opportunity for family involvement than is currently possible due to its location; consideration of the emotional, physical and sexual abuse that girls at Carter are likely to have endured through the elimination of physical and mechanical restraints and of the confinement associated with a hardware secure facility; and substantially more attention on the treatment of mental health issues as opposed to behavioral ones.

Girls at Carter are afforded very few options in terms of regular athletic and vocational opportunities as compared to the services that boys receive at facilities such as Silver Oak Academy. Space for recreation at Carter is limited to a paved outdoor basketball court and during inclement weather there is no indoor option such as a gym or another large space. Boys at Silver Oak have access to spacious athletic facilities - both indoor and outdoor and also benefit from a wide array of certified vocational educational opportunities. At Carter, girls receive vocational education in the form of the ServSafe program which teaches sound food handling practices. ServSafe is not held year round.

Throughout the Maryland juvenile justice system, alternatives to secure detention for female youth are somewhat limited - a contributing factor to the largely unchanged average daily population at Waxter (all female detention center) during 2012, despite significant reductions in population at the three largest detention facilities for boys. In August of 2012, however, an Evening Reporting Center opened in Montgomery County and accepts referrals for both male and female youth. The Graff Shelter in western Maryland was previously the only DJS licensed shelter for girls and it closed in October of 2012. The Magic Shelter opened for girls in Baltimore City in 2012 and is licensed by the Department of Human Resources, although DJS can and does refer girls there and Graff is set to reopen with enhanced programmatic offerings for female youth.

The use of secure detention alternatives should continue and be encouraged as it alleviates female detention populations in facilities such as Waxter (and to some extent, Noyes [in Montgomery County]) where physical plant conditions are not appropriate for youth residence. Design funding for physical plant to replace Waxter is set to receive funding in 2017 - in the meantime, steps should be taken to appropriately minimize the number of girls detained in order to avoid housing youth there. Simultaneously, referrals to community based alternatives to detention should continue to be made available for use by DJS girls in all appropriate circumstances.

In August of 2012, the Maryland State Department of Education assumed control of the education program at Waxter. This positive transition followed an investigation by MSDE that found education services at Waxter to be severely deficient. Girls at Waxter now have access to a complete education staff that includes four teachers, a guidance counselor, a school secretary and a principal. The trailers where classes are held should

⁶ See Watson and Edelman, p. 4.

be replaced to further enhance the education program at Waxter and to address issues of overcrowded classrooms. (MSDE also transitioned into Noyes in mid-January of 2013.)

DJS convened a workgroup during 2012 to address the need for increased services for girls. The group has identified the F.I.T. case management unit in Baltimore City as a system worth replicating statewide to better serve females in DJS custody. The F.I.T. unit provides female youth with individualized and specialized, gender responsive case management and has long been recognized as highly efficient and effective for the girls they serve. The workgroup also recommended an increase in vocational opportunities for youth at Carter (to be achieved in conjunction with MSDE). Two subcommittees are expected to be formed in coming months to work on both goals and their realization would yield great improvements for girls in DJS custody.

The Department hosted a series of inter-facility recreational events in 2012 under the auspices of the Department's recently launched recreation program initiative (called C.H.A.M.P.S.). Girls from Carter, Waxter and Noyes competed against each other in sporting contests and were included in a Department wide oratory competition. Despite a cut in contracted programming in DJS facilities, a Zumba class for girls at Noyes and Waxter has been able to continue. Attention and resources toward expanding athletic and other types of recreational options for girls should continue.

Moving forward, the Department should focus on improving services for girls by prioritizing the project to replace the existing Waxter center with a small, purpose built facility that encourages the provision of trauma informed care to girls in detention.

Alternatives such as shelters and day and evening reporting centers should also continue to be made available for female youth in DJS custody and should also offer trauma informed care. Expanding effective treatment options for females is especially crucial as the number of girls pending placement, the number of female commitments and the percentage of girls going to out-of-state placements are all increasing, while those of boys are decreasing.⁷ The development of services such as Multidimensional Treatment Foster Care; independent living options; and small, community based nonrestrictive treatment programs should be pursued to serve girls in the most effective and least restrictive manner possible. Programs in those settings allow treatment needs, commonly identified as family and mental health based in female youth, to be directly addressed.

In existing hardware secure settings, such as Carter and Waxter, the Department should continue to institute trauma informed care and practices.

⁷ According to a November StateStat report, between September 2011 and September 2012, the pending placement population decreased by 37% for males while it increased by 136% for females; also, during the same period, committed dispositions decreased by 21% for males but increased by 20% for females. The cited StateStat report can be accessed here: http://www.statestat.maryland.gov/reports/20121109_DJS_Template.pdf According to the February 2012 DJS Report on Female Offenders, admissions to out-of-state placements from FY 2008 to FY 2010 increased for females from 1.3% to 3.2% while they decreased for males (8.6% in 2008 to 7.6% in 2010). That report is accessible here: <http://www.djs.state.md.us/docs/Girls.Feb.2012.Report.pdf>

V. Detention Alternatives and Evidence Based Services

Youth Enrolled in Detention Alternative Programs (State-Wide)

Detention Alternatives	September 2011	September 2012
Shelter	20	42
Evening Reporting (including PACT/Baltimore City)	52	53
Community Detention/ Electronic Monitoring	480	467

Source: Maryland State Stat

(a) Shelters

There was a notable uptick in the utilization of shelter care when comparing September 2012 with the same period during 2011. When youth are placed in DJS custody, the court may stipulate that a youth is eligible to be held in a shelter. However, if there are no shelter beds available, the youth may be placed in a detention center – this is deleterious to the youth and expensive for DJS. The rise in usage of shelter care over detention during 2012 is a positive development. The Department should continue to support the provision of more shelter beds throughout the State. For example, the shelter at Cheltenham could be re-opened.

A new shelter facility to be used as an alternative to secure detention and for youth waiting to go to a treatment program (pending placement) opened in Montgomery County toward the end of 2012. As of January 15, 2013, there were 8 youths at the shelter – two from Montgomery County and the rest from other parts of the state. The availability of the shelter beds is a positive although a permanent working arrangement for the provision of education services for youth coming from outside Montgomery County needs to be worked out. More work also needs to be done to ensure that judges, masters, public defenders and case managers are aware of shelter care (and reporting centers) as an option for youth instead of secure detention as and when appropriate. While the opening of the shelter (and of a new reporting center – see below) in Montgomery County is expected to reduce the use of secure detention at the Noyes Children’s Center, the impact on Noyes has not been substantial as of the time of writing (January 17, 2013).

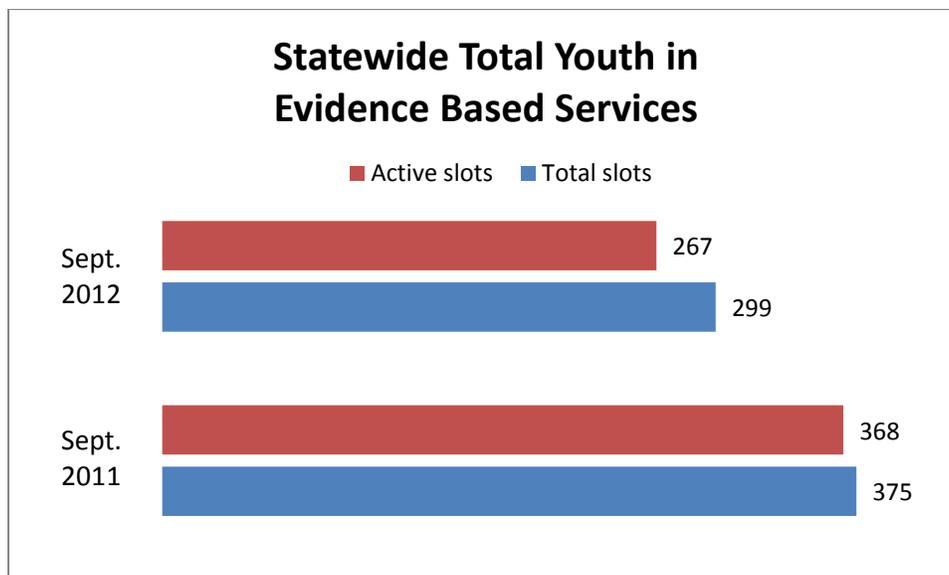
(b) Day and Evening Reporting Centers

The PACT Center⁸, a reporting center in Baltimore City, has been recognized by the Federal Office of Juvenile Justice and Delinquency Prevention as an effective strategy to reduce detention numbers. Independent research data supports the PACT program. Of the 400 youth served (many judged “high risk”), 98% appeared for scheduled court hearings and 92% did not re-offend while participating in the program. 99% of the youth served in PACT are African American.⁹ The center continues to contribute to reducing racial disparity in detention.

As an alternative to detention, reporting centers help youths and save the State money - they should be used in all appropriate circumstances. The expanded use of reporting centers helps to decrease demand for beds at detention facilities. The opening of reporting center slots for youth in Baltimore City, Prince George’s County and Montgomery County is a beneficial and effective development. Plans should be made to make day and evening reporting options for male and female youth available throughout Maryland.

At time of writing (early January of 2013), there are 8 youth in the evening reporting center in Montgomery County – the program has a total of 20 slots and accepts both female and male youth from Montgomery County. The reporting period is set to last approximately 2 months for each youth and a comprehensive treatment plan is to be developed that will connect youths and their families to needed services.

(c) Evidence Based Services (EBS)



The availability and usage of Evidence Based Services (EBS) by DJS declined when comparing data from September of 2012 with the same month in 2011. There were 299 slots in

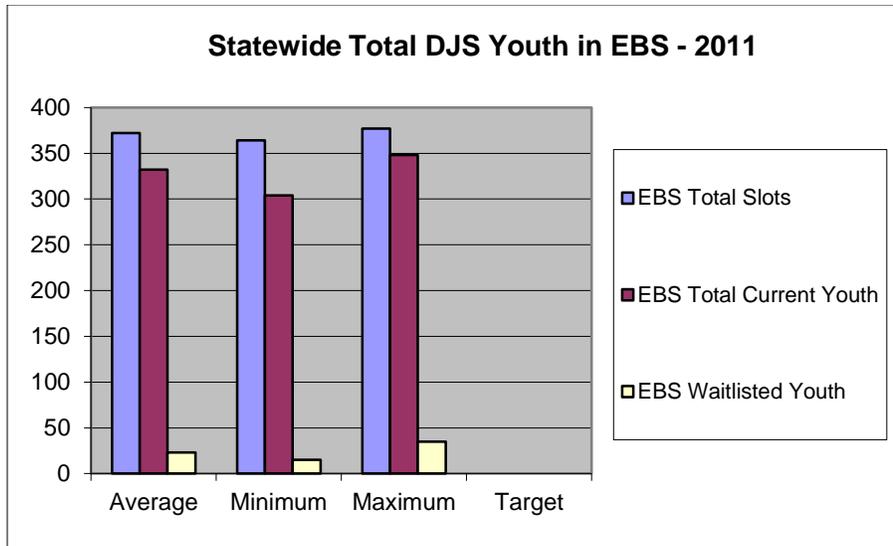
⁸ PACT Center: Pre-Adjudication Coordination and Transition Center.

⁹ See http://www.cclp.org/documents/DMC/DMC_eNews_015.pdf

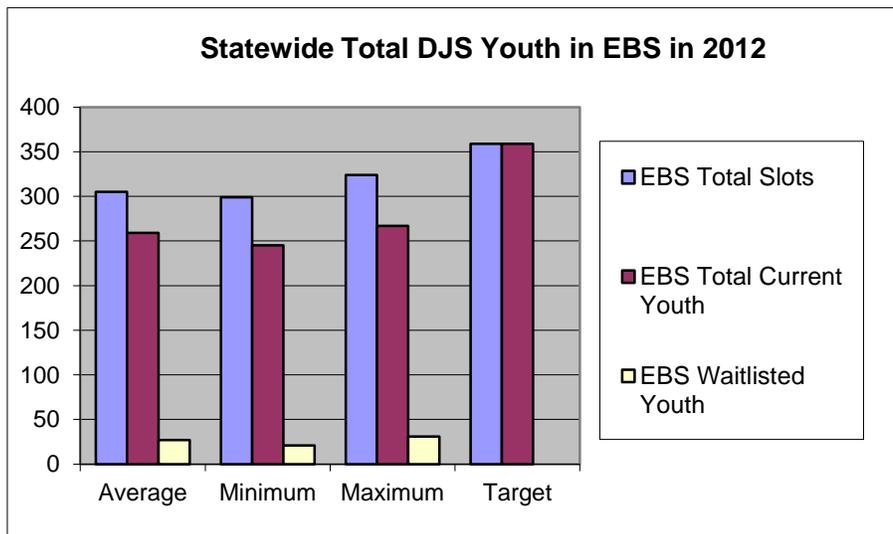
2012, down from 375 in 2011 and active slots fell from 368 to 267.

The Department utilizes community based and family-focused EBS such as Functional Family Therapy (FFT) and Multi-Systemic Therapy (MST) because the programs are supported by evidence that shows that they work. The EBS therapy programs last for a period of months rather than years and are considerably less expensive than residential placement, especially out-of-state placement.

The charts below detail evidence based services usage by DJS during 2011 and 2012.



Source: Maryland StateStat



Source: Maryland StateStat

INDIVIDUAL FACILITY UPDATES - 2012 JJMU ANNUAL REPORT

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¹⁰ The MSDE Response to this section is included on page 57 of this report

JJMU ANNUAL REPORT - INDIVIDUAL FACILITY UPDATES

Alfred D. Noyes Children's Center

The Alfred D. Noyes Children's Center (Noyes) was built in 1970 and is a State owned and operated detention facility located in Montgomery County. Noyes is comprised of three units for males and one unit for females. According to DJS StateStat information, Noyes can accommodate up to 57 youth.

Sleeping rooms house two residents with the exception of two larger rooms which can house up to four. In two instances during 2012, a youth sharing a cell witnessed a cell mate attempt to commit suicide.¹¹ The practice of housing more than one youth to a room is not recommended as it presents a constant safety and medical risk to residents, especially during the night hours when the doors are locked.

The Department should continue to prioritize the utilization of alternatives to secure detention such as shelter care and reporting centers in Montgomery County in order to ameliorate the need to house more than one youth per cell at Noyes.

In 2012, the facility experienced 31 days of overcrowding, up from nine days during 2011. When the facility is overcrowded, overflow residents are provided a plastic bed with a mattress inserted. The "boat bed" is placed on a unit dayroom floor.

The rated population capacity for Noyes set by DJS is based on housing at least two residents in every sleeping room and does not take into account the mixed gender composition of the population. Since boys and girls cannot be housed on the same unit, sometimes the boys' unit is over capacity while the girl' unit is under capacity or vice versa. In 2012, the overall population of girls at Noyes declined.

Fewer total incidents were reported for Noyes during 2012 (268) than in 2011 (339). For a detailed comparison of instances of aggression at Noyes in 2012 versus 2011, please see the incident report related chart on page 16 of this report.

In January of 2013, the Maryland State Department of Education (MSDE) took over education services at Noyes. Youth receive six-hours of school in subjects including math, life-skills, computer literacy, and language arts/reading. The MSDE and Noyes administrators noted the following start-up challenges:

1. Insufficient space to provide services to youth with Individual Education Plans
2. Teachers need office space
3. There is no security camera coverage of education trailers
4. The new school schedule eliminates morning recreation

¹¹ See JJMU 2nd Quarter 2012 Reports (p. 62): http://www.oag.state.md.us/JJMU/reports/12_Quarter2.pdf and JJMU 3rd Quarter 2012 Reports (p. 70): http://www.oag.state.md.us/JJMU/reports/12_Quarter3.pdf

The transition of MSDE into Noyes is a positive development. The Department should revamp physical plant plans to provide more space for instruction and education administration offices and install security cameras in education areas. Noyes staff should ensure that changes do not preclude large muscle exercise per DJS policy.

The facility has an on-site medical unit that assesses residents and provides follow-up medical services. On weekends, a nurse is on-call. Since there is no infirmary at Noyes, youth who need to be separated from the general population for medical reasons are placed in the larger four-bed cells. Substance abuse counselors provide ongoing group and individual meetings with Noyes residents.

Baltimore City Juvenile Justice Center

The Baltimore City Juvenile Justice Center (BCJJC) is a State owned and operated detention center for boys with a 120-bed housing capacity located in downtown Baltimore City. The detention center is on the ground floor of a juvenile justice-related complex that includes court and legal and case management services for youth. Housing units at BCJJC have a two-tier structure, providing single-occupancy rooms in residential pods with 12-beds and three showers. They also include an office for case management meetings.

The Maryland State Department of Education (MSDE) provides six hours of education services each weekday for residents in classrooms located apart from the daily living space.

The medical unit operates 24/7 assessing youth who enter the center and providing follow-up medical services during their stay at BCJJC. The facility includes an infirmary and the Department provides for regular dental and psychiatric services.

During 2012, the youth population at BCJJC began to significantly decline. The average monthly population dropped to 98 during 2012 compared with 115 in 2011. At one point in 2012, there were just 53 youth housed at the facility. The declining population has prompted the closure of two living units and has also resulted in a reduction in staff overtime. The reduction in population has also likely contributed to the decrease in the number of reported aggressive incidents.

In 2012, DJS staff reported a total of 918 incidents at BCJJC – a drop from the 1181 reported in 2011. Compared with 2011, incidents involving aggression also declined, although the numbers of youth on youth physical assaults and physical restraints and handcuffing of youth by staff remained high.

BCJJC - Selected Incident Categories	2011	2012
1. Youth on Youth Assault	352	264 (-25%)
2. Youth on Youth Assault – Injury Associated	203	150 (-26%)
3. Youth on Staff Assault	47	28 (-40%)
4. Alleged Youth on Staff Assault - Injury Associated	15	11 (-27%)
5. Group Disturbances (injury/destruction associated)	31	20 (-36%)
6. Group Disturbances (without injury/destruction)	7	1 (-86%)
7. Restraints	591	428 (-28%)
8. Restraints with handcuffs	186	136 (-27%)

NOTE: "Injury Associated" in the table above includes injuries to staff and/or youth and includes injuries preceding as well as during or resulting from an incident.

Since 2010, the BCJJC has actively worked toward curbing violence by temporarily placing youth involved in aggressive incidents into the Intensive Services Unit (ISU). Each week, a comprehensive team of resident advisors, education, mental health, case management, and other staff meet to measure progress (or reversion) and determine whether the youth can return to the general population. There is a transition unit to support youth in the process of assimilation back into the general population. The ISU/Transition program, along with other behavior modification efforts, has been instrumental in driving a decrease in violence at BCJJC by addressing the most challenging residents and providing ongoing individualized support.

The number and proportion of youth at waiting at BCJJC during 2012 to go to a committed program also dropped significantly. While 40% of youth at BCJJC during the first quarter of 2012 had been adjudicated and committed and were waiting to be placed in a treatment program, that percentage of the population had decreased to 17% when taking the year (2012) as a whole.

African American boys continue to be disproportionately represented at BCJJC – 98% of residents were African American during 2012.

The reduction in average population will help DJS to accept more youth charged as adults into BCJJC. Youth charged with crimes of violence and other serious offenses will continue to be housed in the Baltimore City Detention Center – an adult facility operated by the Maryland Department of Public Safety and Correctional Services. Plans to move all youth charged as adults to a dedicated facility depend on the legislature assessing and approving plans and funding for the renovation of an adult pre-release center so that it can serve as a juvenile detention center housing those youth who are charged as adults. The plans stipulate the new center would be operated by the Department of Public Safety and Correctional Services but with staffers trained to work with juveniles. Youths in the new center would have no contact with adult offenders.

Charles H. Hickey, Jr., School for Boys

The Charles H. Hickey, Jr. School (Hickey) is a DJS operated detention center for boys. The facility has a rated housing capacity of 72 youth and is located in the Parkville area of Baltimore County.

Residents at Hickey are housed in single-occupancy cells in units which include an office for case management. Below one of the units is a medical services component where medical assessments and follow-up services as well as infirmary care are provided to Hickey residents including those who may need to be separated from the general population for medical reasons.

The Maryland State Department of Education provides six hours of school in a large education trailer with several classrooms (including a library room) and office space for teachers.

Glass Mental Health, a private vendor, provides ongoing psychiatric, substance abuse and other mental health assessment and counseling services to Hickey residents. Having a team of mental health professionals on-site, throughout the day and on call, has resulted in a more positive experience for youth at Hickey. DJS should expand these services to other detention centers across the State.

In 2012, the average daily population at Hickey declined nearly 20% compared to 2011. The decrease resulted in the closure of one of the living units.

Fewer youth residing at Hickey may partly explain the 25% decline in reported incidents at the facility – down from 1005 in 2011 to 728 in 2012. The size of the decrease in incidents is impressive. The number of physical restraints performed on youth by staff decreased also - but only marginally, from 254 in 2011 to 249 in 2012. Also, and despite overall declines in incidents and population, staff used handcuffs on more youth in 2012 than in 2011 (see page 15 of this report for the incident report related chart). The Department should enhance staff training and augment crisis prevention and handling strategies to limit the use of physical and mechanical restraints to instances where they are unequivocally unavoidable.

In some instances during 2012 when reported incidents were reviewed, areas of incident activity were either not adequately camera covered or images in camera footage were unclear, making it difficult to distinguish identifiable features. DJS should assess digital footage quality and camera coverage at Hickey and identify and rectify camera blind spots and camera coverage and focus issues.

The administration at Hickey recently launched an Intensive Services Unit (ISU) to address the issues of individual youth who are involved in a number of aggressive incidents while detained. With the decrease in average daily population, Hickey generally houses few youth who would qualify for admission to the ISU and since its inception in November, only one youth has been moved to the unit. In that case, he was separated from the general population

and spent the entirety of his time with two resident advisors who are responsible for his supervision, the only exceptions being during educational sessions with a teacher and individual counseling sessions with a Glass Mental Health representative. The youth ate his meals on the unit and spent his recreation time away from his peers for approximately one week.

Given these circumstances, the ISU at Hickey should not be used in the event that just one or two individuals qualify for admission. With the abundant clinical support offered by Glass Mental Health, Hickey should rely on guarded care plans and increased supervision by specially trained staff, as opposed to isolating one or two youth from the rest of the population for several days. No individual youth should be isolated on the ISU, especially if he has not already been through a guarded care plan.

Should several youth qualify for admission to the unit, the ISU could be used to provide intensive services in response to aggressive or violent behavior. Staffers on the ISU have been specially trained to work with challenging youth; youth receive an orientation to the unit and participate in the creation of their own (individualized) treatment plan. Youth on the ISU will have their cases regularly reviewed by a multi-disciplinary team to determine whether they meet the criteria that allow them to return to the population accompanied by a transition staffer who remains with the youth for two or three days. The benefits of these services, however, are outweighed by the disadvantages of isolation when a single youth is assigned to the ISU.

Cheltenham Youth Facility

Cheltenham Youth Facility (CYF) is a detention center in Prince George's County which is operated by DJS and serves young men from 12 to 18 years old.

There was a significant drop in reported violent incidents at CYF during 2012 compared with 2011 (see the incident report related chart on page 14 for details).

As detailed in the first section (pages 6 through 11) of this report under "Detention Center Population and Wait Time for Placement", CYF continues to be plagued by overcrowded conditions. The crowding has lessened since the second half of 2012 but it has not been eradicated. Two boys are housed in many of the cells in the aged residential cottages. Cheltenham remains an inappropriate environment for youth residence.

Comprehensive utilization, in Prince George's County, of proven alternatives to secure detention as well as more treatment options closer to youths' home communities would alleviate overcrowding at CYF. (Please see the first and second sections [pages 6 through 12] of this report for more details.)

Graff Center for Girls

The Graff Shelter for Girls has been temporarily closed to allow for a substantial change in programming offered at what will be known as The Graff Academy for Life Readiness.

Plans include a personal Life Coach for each girl in the program to “work with her to help her succeed.” The new program (licensed by DJS) will offer group and individual therapy and will place emphasis on “maintaining or re-build[ing] a strong connection” between youths and their families. The family connection will be reinforced by regular home visits.

While the program is designed to last 4 months, 30-day placements may also be considered. A Type III education program licensed by the Maryland State Department of Education will incorporate the Maryland Common Core Curriculum. After one month in residency, youths can join the impact academy which offers coursework and certification in areas including health and wellness, first aid and CPR, social skills for employment, financial literacy, fitness, technology, confidence course and adventure learning, fine arts and cultural activities, environmental education and service learning.

The program is set to begin at time of writing (the first resident arrived on January 15).

J. DeWeese Carter Children’s Center

The J. DeWeese Carter Children’s Center is the only DJS operated hardware secure facility in the state that serves female youth committed to the Department. Carter has 14 beds and is located in Chestertown, on Maryland’s eastern shore. The program for committed girls at Carter was moved from the Thomas J. S. Waxter Center in Laurel, Maryland in November of 2011. While the move has been beneficial for both the Waxter detention facility and the committed program now based at Carter, the treatment program at Carter remains a work in progress.¹²

As the program develops, the Department should look to expand upon the incorporation of the families of the girls, the attention towards the mental health needs of residents and the lessening of the restrictive environment that currently exists. Those three issues are integral to effectively serving girls committed to the Department for treatment. In the short term, practices such as shackling youth during transport to and from appointments including for GED exams and doctors’ visits, as well as during dental and medical exams, should be eliminated. In the long term, the program should introduce more ways to involve families in the treatment process, continue to train staffers in the provision of trauma-informed care, offer (in conjunction with the Maryland State Department of Education) meaningful opportunities for vocational education and create a therapeutic program that allows for more individualized treatment.

¹² For specifics on the program at Carter, please see the JJMU’s 3rd Quarter report from 2012 which can be accessed at: http://www.oag.state.md.us/JJMU/reports/12_Quarter3.pdf

More information can also be found in the Services for Female Youth section of this report (pages 19 to 21)

Administrators at Carter are working towards achieving these goals. The Department should support efforts to further improve the program at Carter and to better serve girls at the deepest end of the juvenile justice system in Maryland.

Karma Academy - Randallstown

Karma serves youth who have been committed to the Department and are in need of treatment related to sex offenses. The program is located in a house in Randallstown, Maryland, and serves up to eight youth ages 14-17. The group home is licensed by DJS to provide intensive therapy to low-level offenders. Boys at Karma attend a local public high school. Karma is now operated by Family Services, Inc. following a merger in July, 2012. With that change, Karma underwent some renovations, received additional computers and increased personnel.

The program at Karma offers a specialized service, in a nonrestrictive environment to youth who may otherwise be sent out of state to receive treatment. On average, it takes youth between 6 and 9 months to successfully complete the Karma program. Most youth complete the program successfully. Karma should continue to be utilized as appropriate.

Kent Youth Boys' Group Home

The Kent Youth Boys' Group Home (Kent Youth) is licensed by DJS, located in Chestertown, and operated by Kent Youth, Inc. Founded in 1971 as a local alternative to institutional or out-of-state placement of Eastern Shore youth, the house provides a comfortable, home-like environment for 10 adjudicated boys aged 14 to 18. The program generally lasts between six to twelve months.

Residents at Kent Youth attend a local public high school where they may participate in school sports, depending on academic performance. Youth who are eligible also participate in off grounds trips and participate in several treatment groups in addition to individual treatment services.

Throughout 2012, the Kent Youth program continued to provide excellent care. Kent Youth is an essential resource in helping to redirect children who might otherwise become more deeply involved with the juvenile justice system. Boys should continue to be referred to Kent Youth as appropriate.

Lower Eastern Shore Children's Center

The Lower Eastern Shore Children's Center is a DJS operated maximum-security detention center for male and female youth located in Salisbury, Maryland. The facility is designed to hold up to 18 boys and 6 girls who are detained either pending adjudication or pending placement.

LESCC – Selected Incident Categories	2011	2012
1. Youth on Youth Assault	53	41
2. Youth on Youth Assault – Injury Associated	26	15
3. Alleged Youth on Staff Assault	13	11
4. Alleged Youth on Staff Assault – Injury Associated	3	1
5. Group Disturbances (injury/destruction associated)	0	1
6. Group Disturbances (without injury/destruction)	0	1
7. Restraints	76	91
9. Restraints with Handcuffs and/or Shackles	11	13
10. Contraband	5	7
11. Suicide Ideation/Gesture/Attempt/Behavior	26	13

NOTE: "Injury Associated" in the table above includes injuries to staff and/or youth as well as injuries preceding as well as during or resulting from an incident.

The table above shows that incidents involving aggression or potential self-harm remained low and in fact decreased at LESCC during 2012, despite an increase in average daily population and an increase in the number of days that the population exceeded its rated capacity of 24. Overcrowding can threaten safety and security, and so while overall incidents decreased between 2011 and 2012 from 195 to 176, the number of incidents involving physical restraint increased from 76 to 91.

Persistent overpopulation at LESCC highlights the need to increase alternatives to secure detention in the eastern shore region, ensuring that only youth who have a record of violence while in the community or who are likely not to appear for court should be considered eligible for secure detention.

Liberty House Shelter for Boys

Liberty House began operating as a shelter-care facility licensed by the Department of Juvenile Services during the second quarter of 2011. The facility offers a 24-hour residential alternative to detention for boys 13 to 18 years old. The program emphasizes therapy and tutoring in life skills and coordinates with local providers for medical, behavioral health and legal services as needed. There were few incidents at Liberty during 2012 and the facility offered an appropriate alternative to secure detention for youth.

Morningstar Youth Academy

Morningstar Youth Academy, operated by Vision Quest National, is a privately owned program licensed by DJS as a large group home. Morningstar is located in Dorchester County on Maryland's eastern shore and serves approximately 30 male youth who have been committed to DJS for placement. The program includes a number of therapeutic services and is based on the trauma informed Sanctuary model.

Incidents are low and the environment is safe and therapeutic. The program has much to offer in the way of treatment, education and recreational options. However, efforts should be made to ensure more structure in the Morningstar program and to address an excess of downtime for residents. Plans to introduce a vocational woodshop and to weatherproof the outdoor gym flooring are positive developments and should be followed through as they may help increase available activities. Increased staff planning and program development should be prioritized alongside a strict adherence to organized recreational schedules. Youth should be encouraged to participate in physical activities while time spent playing cards and watching television in the cottages should be minimized.

One Love Group Home for Boys

The One Love Group Home is located in the Northwood community in Baltimore City. The facility is operated by Building Communities Today for Tomorrow, Inc., and began accepting admissions during the first quarter of 2011. One Love provides a comfortable, home-like environment for adjudicated boys ages 14 to 17. Youth are referred to the home by DJS, which also licenses the facility.

Youth at One Love attend local schools. The program includes a case manager who works with youth and local school administrators in assuring youth receive appropriate education services. Throughout 2011 and 2012, staff at the home provided personal attention and mentoring within a less restrictive setting than youth would experience in an institution.

The One Love program encourages individual development and includes individualized and group therapy, academic tutoring, conflict resolution, and money management. The home and staff offer a positive and constructive program to help redirect children who might otherwise become more deeply involved with the juvenile justice system.

Silver Oak Academy

The Silver Oak Academy (SOA) is a staff secure (non-fenced) residential program for boys which opened in July of 2009 and is owned and operated by Rite of Passage, Inc. The Department of Juvenile Services licenses the facility to house up to 48 boys.

The facility is located in northern Carroll County in Keymar, Maryland, on the grounds of the former Bowling Brook Academy. SOA reached full capacity early in 2010, and has remained at (or close to) its rated capacity since that time.

Incidents numbers were low at SOA throughout 2011 and 2012 and the facility provided a safe and therapeutic environment for youth. In addition to group therapy, programming includes comprehensive and well-structured regular, vocational and technical education components and an emphasis on athletics, teamwork, personal development and community service. Youth enjoy and excel in the athletic programs that are offered at SOA.

SOA employs staff to help transition youth back into their communities after graduation and the value of the program offered at SOA has grown so that it has become an important resource in aiding youth who otherwise might become more involved with the justice system.

During the summer of 2012, DJS proposed that Silver Oak be permitted to serve 96 rather than 48 youth. The Department posited that SOA expansion would help the problem of youth stuck in detention centers waiting to go for treatment (pending placement).

The Juvenile Justice Monitoring Unit recognizes and appreciates the ongoing severity of the issue surrounding the population of youth in DJS custody who are pending placement in a committed program. In order to properly address and resolve the problem, the Department must orient itself in the direction of increasing placement options within the state to serve those youth who have been committed to the Department for treatment.

The JJMU believes serious and long term investment, financial and otherwise, in the development of small treatment centers, based in the communities of the youth being served, as the preferable remedy to the problem of pending placement. The introduction of such options would increase the opportunities for Maryland's youth to receive individualized treatment services in or near their home communities. A commitment from within the Department to the development of these types of services would represent a real and sustainable remedy to the issue of pending placement that has plagued Maryland's juvenile justice system for years.

Children spend time in detention centers pending placement for reasons other than a limited number of treatment beds in Maryland. An individual youth may be denied admission to a particular treatment center on the grounds that he or she cannot be successfully treated there because of the services that placement option does or does not provide. For that reason, the answer to pending placement is not simply an increase in available beds, but also

an expansion of the types of treatment options available within the communities of the youth being served.

To amend the license in order to increase the number of possible placements at Silver Oak Academy could lower the number of youth in detention who are pending placement. That is not to say, however, that it would do so unequivocally. In other words, while an expansion of the program at SOA represents a solution to the pending placement problem in a numerical sense, it does not necessarily do so in a manner that benefits those youth in a meaningful way. For example, expanding SOA will not solve the problem of youth pending placement in out-of-state specialized programs of a kind not offered in-state at SOA or anywhere else.

Currently, SOA operates with a licensed capacity of 48 youth. Youth receive a wide range of services including appropriate and Maryland State Department of Education monitored education and special education, a comprehensive athletics program, evidence-based mental health treatment, medical and substance abuse treatment and certified vocational education. The success of the program most likely lies at least partly in the ability to provide quality services to small groups of youth. Teachers, for example, provide education to classes of approximately six youth.

The current level of quality and proportion of staffing, in all domains of the program, would have to be maintained or increased should any expansion occur. The JJMU will continue to monitor SOA to ensure that, in the future (and whether or not the population expands), the program continues to maintain or enhance the quality and intensity of services offered each youth in the program.

The Department currently proposes to increase SOA program capacity by 100% over a four month period. Under no circumstances should the program size be doubled in a four month period because of the high likelihood that a doubling of the SOA program in such a short time frame would seriously disrupt the current program, jeopardize program integrity, and lead to overall program failure.

To alleviate the current and ongoing pending placement problem, the JJMU would give serious consideration to supporting a smaller and more gradual expansion of the SOA program.

To justify expansion, the Department should provide evidence that some of the approximately 50-70 youth who are stuck, on any given day, in a detention center awaiting placement in a staff secure facility are amenable to treatment as provided at Silver Oak. It should be shown that any expansion of SOA would not result in a related increase in the rate at which youth are committed to the Department for staff secure treatment. It must also be shown that (whether or not SOA is expanded) each and every youth placed at SOA could not be appropriately served in a less restrictive treatment setting located nearer to the youth's home community.

In any case, the JJMU would not support more than a maximum 50% expansion of Silver Oak licensing capacity, and only if the expansion were to take place more incrementally

than is currently being proposed. The JJMU would expect a graduated pace of not more than 2 additional youths per month up to a total of 24 youth over the course of at least one full year.

In other words, JJMU will not support an expansion of the SOA license to allow for 48 additional youth at SOA but will consider - with reservations - supporting a gradual expansion to allow for a grand total of up to 72 youth at SOA, if it can be shown that the current pending placement population meets the criteria outlined above. Support is also contingent upon the continuation or betterment of current quality of care and on maintenance of current staff and management ratios to youth.

JJMU again encourages the Department of Juvenile Services to pursue more localized and specialized treatment for youth in need. JJMU fully supports the appropriate use of community-based, specialized and individualized treatment resources to best meet the needs of Maryland youth committed by the courts to DJS.

Victor Cullen Center

The Victor Cullen Center (Victor Cullen) is the only state operated hardware secure treatment center for boys in Maryland. The facility is located in Sabillasville in Frederick County and serves up to 48 male youth between the ages of 14 and 19 who have been adjudicated and committed to the Department for treatment.

In 2012, staffing was bolstered at managerial, administrative and direct care levels, a change which likely contributed to the dramatic decrease in violence at Victor Cullen in 2012 when compared to 2011 (see page 18 of this report for an incident report related chart). Although there was a significant decrease in aggressive incidents including assaults and group disturbances, the use of physical and mechanical restraints by staff on youth remained high.

The application of handcuffs and shackles during transport to and from, as well as during, medical appointments continues to be used on all youth at Victor Cullen, regardless of time spent in the program or progress made in treatment.

While attempts to reduce the number of youth moving from treatment back into detention should be applauded, the population at Victor Cullen is at times destabilized by the influx of youth coming from the Youth Centers. The influx results from an initiative designed to limit returns to detention for youth who are unsuccessfully discharged from a youth center placement. The Department should institute an intensive and individualized orientation program to help youth to adjust while entering Cullen following expulsion from other programs.

Youth at Victor Cullen are limited to on-campus recreation options. To expand activity choice, the Department should develop experiential treatment activities (similar to the Reflections program at Meadow Mountain Youth Center) on the grounds of Victor Cullen.

Thomas J. S. Waxter Children's Center

The Thomas J.S. Waxter Children's Center, located in Laurel, Maryland, is the only all-female youth detention center in the state. At various times during 2012, DJS rated the capacity at 30, 40 and 42. The rated capacity should remain at 30 where it was set immediately following the relocation of the committed program to the Carter Center in November of 2011. Since the departure of the committed program from Waxter, the facility has seen a significant reduction in violence and an improvement in facility operations. A new superintendent was assigned to the facility in May of 2012 and violence has continued to decline under her administration.

The facility remains an inadequate residential space for youth. Waxter is divided into only three units with the largest designed to house at least 20 youth should the facility reach its capacity. Because of the structure of the facility, youth on orientation status and youth whose behavior requires that they be supervised in a smaller population have to be housed on the same unit. The replacement of Waxter with a small, purpose-built facility should not be delayed any further, even if other projects in the Department's capital plan are postponed.¹³ In the meantime, necessary improvements to the physical plant, such as the installation of cameras in the areas where they are lacking, should be made without delay.

During the fourth quarter of 2012, the facility saw an influx of youth coming from Prince George's County. During 2012, youth from Baltimore City, the Eastern Shore and other parts of Maryland were being housed at Waxter. An increase in admissions at Waxter often arises when facilities such as Noyes in Montgomery County or the Lower Eastern Shore Children's Center reach capacity. At the same time, the Waxter facility structure severely limits options for housing assignments.

Prince George's County youth are being detained in ever greater numbers, stretching resources at the Waxter, Noyes and Cheltenham facilities. In November of 2011, 6 out of the 85 detention/pending placement entries to Waxter were in the jurisdiction of Prince George's County. That number rose to 22 out of 90 in November of 2012. Although administrators at Waxter reported that the mixture of youth was manageable, they also noted that the mix created unnecessary tension on the units. Secure detention at Waxter and elsewhere is expensive and not beneficial for youth who do not receive individualized treatment. Secure detention must be limited to those youth who pose a significant threat to public safety or who may not appear in court, in order to minimize the facility population. There are appropriate and proven detention alternatives such as reporting centers available in Prince George's County, Montgomery County and Baltimore City.

In August of 2012, MSDE assumed responsibility of the educational program at Waxter. Previously, education services at Waxter were found to be inadequate. Education staffing at Waxter now includes four teachers, a guidance counselor, a school secretary and a principal. The transfer of the program to MSDE control is a significant and positive change at Waxter.

¹³ Design funding for the reconstruction of Waxter "has been deferred from FY 2016 to FY 2017 due to the deferral of higher priority projects for the Department," according to the DJS 2013 Capital Improvement Plan.

The trailers where school is held are too small and crowded - contributory factors to incidents during class time.

The Way Home – Mountain Manor

The Way Home is a 12-bed, non-secure group home for female youth committed to DJS. Located within the Mountain Manor complex in West Baltimore, The Way Home provides girls with a number of treatment services while they attend local public schools, community colleges or complete GED or high school diploma programs. Residents participate in groups, some of which are administered by outside organizations. Girls at the Way Home can earn visits home as well as permission to participate in employment, intern or volunteer opportunities. Youth also participate in recreational outings that take place off grounds. These services are provided while girls live in a structured group home setting that has the benefits of being in a community based location.

Although there were few incidents during 2012, there was a serious attempted suicide related incident in August and the Way Home adjusted existing protocols and instituted new procedures to ensure sufficient supervision of youth at all times.

The Way Home offers a gender-appropriate, comfortable and therapeutic environment to troubled girls and should be utilized by the Department whenever appropriate.

Western Maryland Children's Center

The Western Maryland Children's Center (WMCC) is a State owned and operated maximum security detention center for males. Located near Hagerstown in Washington County, the facility provides single-occupancy cell housing for up to 24 residents.

The facility experienced far fewer days of overcrowding in 2012 (100 days) than in 2011 (201). Overflow youth are subject to sleeping in plastic boat beds with mattresses inserted which are placed on the floor in the day room. The boat beds and youth sleeping supplies are properly cleaned and stored.

During 2012, DJS made the living unit bathrooms safer by replacing ten of 24 toilets made from breakable porcelain with stainless steel ones. The Department should replace the remaining porcelain toilets with stainless steel ones

The security camera system at WMCC has not been wholly reliable since the third quarter of 2012 and glitches need to be addressed. The system sometimes stops recording when the memory is full, leaving some parts of the day unmonitored. The Department needs to fix or upgrade the video recording system to ensure problem free 24/7 security camera monitoring and availability of all camera footage.

The Maryland State Department of Education utilizes two classrooms to provide six hours of education services each day to residents.

A fully staffed medical unit provides health care to incoming youth and residents seven days a week. However, mental health services are limited to one full-time and one part-time counselor. When both are out, on vacation or for any other reason, youth are unable to receive these services.

Substance abuse-related group therapy is provided weekly and there are also individual anger management and victim awareness sessions.

Regular programming consists of resident advisor led recreational activities in the facility gymnasium (or outside - weather permitting). There are occasional community event volunteer opportunities available to residents which are coordinated through the WMCC Superintendent.

William Donald Schaefer House

The William Donald Schaefer House (WDSH) is a 20-bed facility operated by DJS that serves committed males who require substance abuse treatment. Four substance abuse counselors (two of whom are licensed clinical social workers) provide treatment to youth placed at WDSH. Previously the program lasted approximately three months, however that was adjusted to 120 days beginning in October of 2012 to accommodate a new behavior management program that the Department is implementing at its facilities statewide.

Also in October of 2012, MSDE took over the responsibility of providing educational services to youth at the Schaefer House. At the Schaefer House, MSDE is staffed with six positions: two teachers; a guidance counselor/GED instructor; a special education teacher; an instructional assistant; and an administrative secretary. The MSDE principal at the Schaefer House is also the principal at Hickey.

To accommodate MSDE, office space had to be created on the first floor of the Schaefer House for case management and interviews. The addition of those offices greatly lessened the area in the two day rooms where the youth spend much of their time watching television and playing board games. The basement should be further renovated to add more recreation space for the youth. The outdoor basketball court is not covered and cannot be used during inclement weather. All youth at the Schaefer House should have access to a large indoor recreation facility for use during inclement weather.

During the summer of 2012, the Schaefer House began expanding its admissions and no longer automatically rejects youth for placement who have histories of fighting or assault charges. Historically, the population at the Schaefer House was low and by expanding the admission criteria, more youth are now able to be served in a community setting. With more youth being accepted to the program and less space as a result of the renovations, the need for additional recreation options – on and off campus – is critical.

In response to these changes, the Department should increase the staffing plan to allow for a ratio of one staffer to eight youth, and add supervisory positions such as shift commanders in order to allow for more flexible recreation plans that include off-grounds trips.

At times there are just two staffers present to supervise a population that has recently been as high as 19 youth. Breaches in safety and security can easily occur as a result of this staffing deficiency, especially considering that youth must be escorted by a staffer to the building next door for medical services. On occasion, transportation and community detention officers have had to be recruited to supplement staffing at the Schaefer House, especially during shifts where a male staffer is required for supervision, such as shower time. As it currently exists, the staffing plan at the Schaefer House also prevents any off-campus trips from being made according to DJS policy, unless an administrator is present.

Youth Centers

The DJS Youth Centers provide commitment care services to male youth and are located in western Maryland. The centers consist of four separate staff secure campuses and have a combined population capacity of 164 youth spread over the four facilities. The centers differ in the type of treatment offered and in program length (ranging from three to nine months).

- **Green Ridge** in Allegany County serves up to 40 youth in three separate programs: Mountain Quest, a 90-day intensive adventure based treatment impact program; Revelations, a substance abuse program lasting a minimum of 120 days; and a therapeutic program lasting an average of six to eight months.
- **Savage Mountain** in Garrett County serves up to 36 youth primarily from non-Western Maryland counties.
- **Backbone Mountain** serves up to 48 youth. There are 32 to 38 beds places in a six to eight month treatment program, while 10 to 16 places are reserved for youth in a college preparation program.
- **Meadow Mountain** serves up to 40 youth primarily from non-Western Maryland counties and specializes in addiction treatment over the course of a 6 to 9 month program.

Collectively, reported incidents at the youth centers increased from 552 in 2011 to 585 in 2012. Increases in assaults among youth and the use of physical restraint by staff on youth grew along with the number of injuries associated with those categories of incidents.

Please see the chart on the next page for details of instances of aggression or self-harm taken from incident reports at the youth centers during 2011 and 2012.

Youth Centers - Selected Incident Categories	2011	2012
1. Youth on Youth Physical Assault	118	174
2. Youth on Youth Physical Assault – Injury Associated	37	84
3. Alleged Youth on Staff Physical Assault	38	19
4. Alleged Youth on Staff Physical Assault – Injury Associated	10	5
5. Restraints	220	253
6. Restraints – Injury Associated	75	102
7. Physical Child Abuse Allegations (DJS Custody)	4	15
8. Suicide Ideation, Gesture, Attempt or Behavior	24	15

NOTE: "Injury Associated" in the table above includes injuries to staff and/or youth and includes injuries preceding as well as during or resulting from an incident.

Following the implementation of a curfew at DJS facilities that prohibits outdoor movement after dusk, youth at the centers were limited to dormitory areas and recreational options such as card games and television for several hours every evening. In order to allow increased flexibility and active recreation time, fences are expected to be built at the Youth centers so that groups can access the gym space on campus after dark. As of early January of 2013, construction of a black aluminum fence (approximately eight feet in height) had begun at Meadow Mountain.

The youth centers remain understaffed. Increased staffing would enhance routine supervision of youth which could result in fewer incidents. It would also allow staffers to take a greater part in the treatment process by enabling them to interact more closely with youth who may benefit from increased individual attention that staffers (currently occupied with other duties) cannot offer under existing ratios of youth to staff.

Staff to youth ratios should also be increased to ensure proper supervision of youth in the event that a staffer has to provide transportation to and from the clinic, respond to an incident, or perform other such duties. Staffing should also be increased in order to guarantee that off-grounds activities such as community service opportunities, incentive based outings, educational field trips, and treatment related activities, are able to occur as appropriate.

Comprehensive staffing at the direct care and supervisory levels is crucial to the effective operation of the youth centers. Efforts toward reducing staff shortages and retaining current employees should continue to be made by Youth Center and DJS headquarters administrators.

The Maryland State Department of Education at DJS Facilities

The Maryland State Department of Education (MSDE) took over the educational programs at the Thomas J.S. Waxter Children's Center and the William Donald Schaefer House in 2012. As of early 2013, MSDE has also assumed responsibility of the program at the Alfred D. Noyes Children's Center.

In total, MSDE is now responsible for education services at all seven of the DJS detention centers: Alfred D. Noyes Children's Center; Baltimore City Juvenile Justice Center; Charles H. Hickey, Jr., School; Cheltenham Youth Facility; Lower Eastern Shore Children's Center; Thomas J.S. Waxter Children's Center; and Western Maryland Children's Center. MSDE also provides education services at three DJS-operated treatment centers: J. DeWeese Carter Center; Victor Cullen Center and William Donald Schaefer House.

The only state operated facilities whose education services continue to be provided by DJS are the four youth centers in western Maryland where education services will transfer to MSDE during 2013.

Credits earned in MSDE operated schools within DJS facilities – including treatment centers where youth spend several months or longer – are not necessarily directly transferable or honored when youth return to school in their local community. This is the case even though both the DJS facility-based school and local public schools are controlled by MSDE.

Steps should be taken to ensure youth who attend school and complete coursework while in DJS facilities have their credits transferred to, and accepted by, the schools youth attend in their home communities. It is essential that a youth's consistent participation and progress in school while in DJS custody be appropriately recognized as well as documented.

Appendix A

The Juvenile Justice Monitoring Unit in 2012

In calendar year 2012, our staff conducted 397 facility monitoring visits (including facility advisory board meetings) that resulted in 92 monitoring reports. These included the 2011 Annual Report with individual facility updates (published in February of 2012), in addition to individual facility reports covering the first, second and third quarters of 2012. All reports of the Juvenile Justice Monitoring Unit are available at www.oag.state.md.us/jjmu

Throughout 2012, the Unit worked diligently with the Maryland Department of Juvenile Services and a variety of state and local agencies and youth-serving organizations to improve the quality of services for Maryland youth. The agencies and organizations included the Juvenile Detention Alternatives Initiative of the Annie E. Casey Foundation; the Maryland State Advisory Board for Juvenile Services and various facility advisory boards; the Female Youth Workgroup; Maryland State's Attorneys' Offices; the Maryland Office of the Public Defender including the Juvenile Protection Division; the Maryland Disability Law Center; the American Civil Liberties Union of Maryland; Child Protective Services; and the Montgomery County Commission on Juvenile Justice.

1. Current Issues

In 2012, the JJMU worked with DJS and other stakeholders to address particular concerns including: overpopulation at detention centers; long waiting periods for adjudicated youth before treatment placement; inadequate services for female youth; and a shortage of appropriate alternatives to detention.

As of early 2013, population at the 3 largest detention centers is lower than it has been for over a decade. Similarly, the numbers of youth awaiting treatment has declined from approximately half the daily population at the largest detention centers to approximately one-third. Services for female youth have been expanded to include reporting centers (an alternative to secure detention) in Baltimore City, Prince George's County and Montgomery County. The comingling of detained and committed female youth at the Waxter center has been discontinued with the treatment component moved to a dedicated center on the eastern shore. The availability and utilization of alternatives to secure detention has significantly increased with more reporting center slots and more shelter beds available for both male and female youth. In addition to working to further improve conditions for youth in the Maryland juvenile justice system, the JJMU continues to ensure that all stakeholders are aware of the most significant issues in Maryland juvenile justice.

2. Personnel

Number of staff: 4 (including the director and not including 4 vacancies). Brief staff biographies are on page 48.

3. The Monitor's Function

Throughout 2012, the Juvenile Justice Monitoring Unit investigated and reported on conditions at 22 Maryland Department of Juvenile Services operated and licensed facilities per *Md. State Govt. Code Ann. §6-404 (2009 Replacement Volume)*.

The facilities monitored by JJMU included DJS-operated detention centers and committed care programs, as well as privately operated shelters and committed care programs. Reports of the Unit's evaluations are issued on a quarterly basis and address the following issues:

- Treatment of and services to youth, including:
 - whether their needs are being met in compliance with State law;
 - whether their rights are being upheld;
 - whether they are being abused;
- Physical conditions of the facility;
- Adequacy of staffing; and
- Effectiveness of the child advocacy grievance process and DJS monitoring process.

Monitors make unannounced visits to facilities. Visiting frequency is determined by challenges and progress at each facility. During visits, monitors may inspect the physical plant, interview youth and staff, observe classes, review medical and school records, and receive copies of documents including full incident reports, seclusion logs and reports, activity logs, and staffing charts.

Monitors review the DJS Incident Reporting and ASSIST (includes population and case note information) databases and may follow up on incidents in facilities, particularly those involving alleged staff on youth violence, youth on youth violence, group disturbances or any incident involving injury or an allegation of abuse or neglect. They review DJS Investigative Reports as well as grievances filed by youth. Monitors also participate in multi-agency meetings convened to discuss reports of alleged child abuse or neglect in facilities.

For the first, second and third quarters of each year, monitors incorporate findings into comprehensive Individual Facility Reports or produce a topical system wide written or pictorial report. Findings and updates from the fourth quarter are included in an annual report which is produced after the close of each calendar year. In addition, if a serious or immediate threat to youth and/or staff safety is identified (e.g., fire safety code violations, escapes, or serious staffing or operational issues), the Juvenile Justice Monitoring Unit may issue a Special Report.

Monitors attend Facility Advisory Board meetings, which include community leaders and advocates, and report their findings to the Boards. The JJMU also attends meetings of the State Advisory Board for juvenile services.

Appendix B

JJMU Facility Monitoring Responsibilities (2012)

<ul style="list-style-type: none"> • Cheltenham Youth Facility • Liberty House Shelter • One Love Group Home • Silver Oak Academy 	<p>Nick Moroney: (410) 576-6599, nmoroney@oag.state.md.us</p>
<ul style="list-style-type: none"> • Baltimore City Juvenile Justice Center • Charles H. Hickey School • Alfred B. Noyes Children's Center • Western Maryland Children's Center • Graff Shelter for Girls 	<p>José Saavedra: (410) 576-6968, jsaavedra@oag.state.md.us</p>
<ul style="list-style-type: none"> • Backbone Mountain Youth Center • J. DeWeese Carter Children's Center • Green Ridge Youth Center • Lower Easter Shore Children's Center (LESCC) • Meadow Mountain Youth Center • Morningstar Youth Academy • Savage Mountain Youth Center • Victor Cullen Center 	<p>Tim Snyder: (410) 591-6166, tsnyder@oag.state.md.us</p>
<ul style="list-style-type: none"> • Karma Academy for Boys Randallstown • Kent Youth Boys Group Home • The Way Home - Mountain Manor • Thomas J.S. Waxter Children's Center • William Donald Schaefer House 	<p>Eliza Steele (410) 576-6563, esteele@oag.state.md.us</p>
<p>Nick Moroney Director (410) 576-6599 nmoroney@oag.state.md.us</p>	

JJMU Staff Biographies

The Maryland Juvenile Justice Monitoring Unit (JJMU) staff members have a broad range of professional experience and educational qualifications. In carrying out duties, monitors utilize practical skills and substantive knowledge of juvenile programming, special education, civil rights law, juvenile legal representation, counseling, casework, program operations and management.

Nick Moroney was appointed as director of the JJMU in April of 2011. He joined the Unit as a monitor in February of 2008, was promoted to senior monitor in early 2010 and became acting director in October of the same year. For several years before he joined JJMU, Mr. Moroney taught in an alternative public school for troubled youth. Prior to teaching, he worked as an editor and writer on issues affecting vulnerable populations in Maryland and Washington, D.C. Mr. Moroney holds a Master's Degree from Georgetown University.

José Saavedra is a senior monitor who joined JJMU in August of 2010. Prior to joining the Unit, Mr. Saavedra worked on juvenile justice reform issues with youth in local communities and was Juvenile Justice Network Coordinator with a national non-profit organization. Mr. Saavedra also founded an after-school program for youth believed "hardest-to-reach." He holds a Master's Degree in Public Policy from American University.

Timothy Snyder is a senior monitor who joined the Unit in 2001 after many years of working directly with troubled youth and their families. Previously, for eleven years, he served as Director of the New Dominion School in Maryland, an adventure-based residential treatment program for troubled youth. He also worked in direct care and family services at New Dominion School in Virginia. As a private practitioner, Mr. Snyder consulted with numerous families experiencing difficulties with their children. He holds an M.A. in Pastoral Counseling (special emphasis in marriage and family counseling) from LaSalle University and a B.A. from Guilford College (Sociology).

Eliza Steele joined the JJMU as a monitor in May of 2012. Prior to accepting a permanent position, Ms. Steele worked as an intern for the JJMU during 2011 when she visited facilities and contributed to the 2011 Pictorial Report. Ms. Steele has also studied with a judge in juvenile court in Pennsylvania where she attended court proceedings and shadowed a school based probation officer. She holds a B.A. from Dickinson College and is planning to pursue a Master's Degree in Social Work.

Claudia Wright was a senior monitor at JJMU until June of 2012 when she retired after serving with the Unit since January of 2007. Ms. Wright began her career as a public defender, serving as Chief of the Juvenile Division of the Public Defender's Office in Jacksonville, Florida. She later litigated major class action cases for the American Civil Liberties Union National Prison Project, including cases challenging conditions of confinement for children in training schools, jails and detention centers. She was lead counsel on *Bobby M. v. Chiles*, which was the catalyst for reform of the juvenile justice system in Florida. Ms. Wright was a founder of Florida State University's first juvenile law clinic and founded Gator TeamChild, a multi-disciplinary juvenile law clinic at the University of Florida.

A Brief History of the Juvenile Justice Monitoring Unit

In 1999, the Maryland Department of Juvenile Justice (precursor to the Maryland Department of Juvenile Services/DJS) received national media coverage over the treatment of youth in its boot camps facilities. A Task Force investigation concluded that the Department lacked oversight and recommended creation of an external monitoring agency to report to the Governor and members of the General Assembly on conditions in DJS facilities as well as on the safety and treatment of youth in DJS custody. As a result, the Office of the Independent Monitor was established in 2000.

Legislation to codify the Office of the Independent Juvenile Justice Monitor was passed into law in 2002. The Independent Juvenile Justice Monitor was originally housed in the Governor's Office of Children, Youth, and Families.

In 2006, the monitoring unit was moved to the Office of the Attorney General and was renamed the Juvenile Justice Monitoring Unit (JJMU). Legislation was enacted in 2007 to expand the jurisdiction of the JJMU to include monitoring of any residential facility licensed by the Department of Juvenile Services.



Maryland Department of Juvenile Services

Treating ● Supporting ● Protecting

February 8, 2013

DJS Response to the Juvenile Justice Monitoring Unit's 2012 Annual Report

The Department of Juvenile Services appreciates the time and effort that JJMU has taken to provide the 2012 Annual Report. We have thoughtfully considered all findings and will take corrective action in areas of need. We are appreciative of the JJMU's recognition of our accomplishments during the past year.

During 2012, the Department focused on the following initiatives and system reforms: establishment of effective leadership teams at all sites, implementation of a pro-social skills behavior management program at all state-operated treatment centers (CHALLENGE), re-establishment and implementation of the Juvenile Detention Alternatives Initiative (JDAI) in Baltimore City, development of a continuum of care system, which includes implementation of the Central Review Committee component responsible for overseeing youth transfers as enabled by Senate Bill 245, reduction of the number of youth awaiting placement, establishment of CHAMPS, an intramural sports, arts and academic challenge program, and a reduction in staff vacancies.

The establishment of effective and stable leadership teams, implementation of CHALLENGE, and the strengthening of the interdisciplinary team review process locally and centrally has positively impacted operations resulting in safer environments for youth and staff. There has been a significant reduction in overall incidents and specifically acts of aggression at all of the facilities. It is notable that Victor Cullen, the only state run hardware secure facility, has realized a significant reduction in all incident areas while managing an increased population that has remained near or at capacity.

As noted by JJMU, the number of youth in pending placement status has decreased. This reduction has been achieved through the Central Review Committee process, and the increased supervisory and executive management oversight of the placement process resulting in more efficient practices.

JJMU cites the need to reduce the length of stay in detention at Cheltenham Detention Center. In February 2013, the Department will be expanding the Juvenile Detention Alternatives Initiative to Prince Georges County to look closely at the use of detention and appropriate alternatives. We are pleased to work with the Annie E. Casey Foundation on our JDAI efforts and we are appreciative of their support.

SERVICES FOR FEMALES

In November 2011, the department re-opened the J. DeWeese Carter Center as a secure residential treatment program for females. The primary population served is females requiring high supervision, hardware and staff secure needs, with a high probability of reoffending as determined by the Maryland Comprehensive Service Plan Assessment tool (MCASP). Many of the girls have a history of failed placements, AWOL from placement, AWOL from electronic monitoring, or absconding from community supervision. During 2012, the department established an interdisciplinary placement committee solely responsible for conducting case reviews and screening girls appropriate for placement at Carter. JJMU is incorrect in suggesting that the Carter program serves low risk youth.

Assessments for girls at Carter begin at admissions. They receive medical, behavioral health and educational screenings. The Massachusetts Youth Screening Instrument (MAYSI) is administered at intake to assist in the identification of youth who may require immediate mental health care. A full biopsychosocial is completed within two days of admission. A Trauma Symptom Checklist for Children is also administered. The results are interpreted and used by therapists to assist in the development of the youth's individualized service plan. There are two therapists assigned to provide mental health services for a maximum population of 14; this ratio fully meets the needs of the center and in fact exceeds ratios established at more intensive residential treatment centers. Individual, group and family therapy is offered. Girls are also administered the Substance Abuse Subtle Screening Instrument (SASSI) by the assigned substance abuse counselor. Girls found to have a moderate to high probability for substance abuse and/or dependence participate in an evidence supported substance abuse program for adolescents called 7 Challenges.

To address the need for trauma informed care at Carter all staff received initial training, provided by Dr. Laurel Kiser, Psychologist and Director of the Family Informed Trauma Treatment Center, at University of Maryland. In June 2012, the department began implementation of ARC (Attachment, Self- Regulation, and Competency), a core-components trauma care treatment model. ARC was developed to provide a guiding framework for clinical intervention with complexly traumatized youth and their caregiving systems. Training was conducted by Dr. Margaret Blaustein, a developmental psychologist who is the co-developer of the model. All DJS mental health and addiction clinicians were trained, in addition to an expanded team from Carter including the superintendent, assistant superintendent, case manager, two mental health therapists, three group life managers, school psychologist, and the nursing supervisor. The ARC components are strongly supported by the CHALLENGE behavior modification program, and they are being integrated in the substance abuse program, and clinical individual and group work with youth. Dr. Blaustein has provided technical assistance. As cited by JJMU, the Department continues to work to strengthen gender specific and trauma informed care programming at Carter. We also continue to evaluate our need to balance the need for public safety and the safety of youth and staff by using restraints during off campus trips.

Recreational opportunities for girls at Carter have expanded. While the Carter Center does not have an indoor gym, there is an adequate outdoor recreation courtyard. Indoors there are two dedicated spaces, one for exercise and a games room. To address the limited indoor space, the Department contracts with the local recreation center where the girls have access to an indoor court and swimming

pool. During the past year, the girls participated in camping trips at Meadow Mountain Youth Center, located in western Maryland, as well as intramural sports competitions with girls at Waxter Children's Center. They have also participated in family carnival days and numerous community recreation and leisure activities, to include, bowling, movies, skating and restaurant dining. The girls support community service projects by assisting the homeless and elderly, making dresses for youth in Haiti, and knitting clothes for infants at the local health center. The department also contracts with Chester River Arts Council for programming each weekend, these activities include, pottery making, cooking, arts and crafts. The facility is supported by volunteer mentors from Washington College. The Department will continue to address recreational programming for Carter and all youth through establishment of a recreation position at all sites, and the expansion of the CHAMPS intramural initiative.

JJMU cites a concern for shelter beds for girls. The Department currently contracts with four providers statewide to offer short term shelter space for female youth. The programs are not structured shelter care facilities but are short term child serving programs. They are licensed and have the ability to serve female youth pending court action. The programs are Magic Unity in Baltimore City, Board of Child Care in the Southern region, Pryde in the Western region and Mentor Treatment Foster Care in the Eastern region. Based on the current populations needs, the Department concludes that adequate shelter beds are available. We are in the process of completing a statewide detention utilization study and will adjust services based on identified needs for expansion.

In 2012, the Department issued the Report on Female Offenders: Statistical Information on Girls and Inventory of Services as required by Senate Bill 787 / House Bill 511 enacted during the Maryland General Assembly's 2011 session. The statistical and program overview presented in the 2012 report provided the necessary background to further evaluate DJS program and service offerings for females interacting with Maryland's juvenile justice system. Upon encouragement from members of the legislature and the reporting requirements in the 2012 Joint Chairmen's Report¹⁴, DJS convened a workgroup to assist in developing recommendations to address services and program offerings for females based on prior research. Accordingly, DJS, with assistance from Delegate Kathleen Dumais¹⁵, convened a workgroup comprised of representatives from Maryland State Agencies, the Maryland Judiciary, service providers, advocates, the University of Maryland, and the Maryland General Assembly.

The Workgroup gathered substantial information concerning the DJS continuum of care, data and trends of females in the DJS system, disparities in court dispositions, and the current treatment and behavior management programs in DJS facilities for females. With this information, the Workgroup went through a strategic planning process to determine the Strengths, Weaknesses, Opportunities and Threats in addressing services and programming for DJS's female population. This process resulted in several recommendations from the Workgroup on how DJS can move forward in addressing the needs of females.

¹⁴ Report on the State Operating Budget (SB 150) and the State Capital Budget (SB 151) and related Recommendations - Joint Chairmen's Report, 2012 Session, p. 136.

¹⁵ Kathleen M. Dumais, Delegate, Montgomery County District 15

One of the recommendations of the Girls Workgroup was to determine what components of the Baltimore City FIT (Female Intervention Team) Unit are performing well and how the program, or components of the program, can be replicated in other regions across the State. The Baltimore City FIT Unit is responsible for case management of females adjudicated delinquent by the court and subsequently ordered to be supervised in the community. The Girls Workgroup will form a subcommittee to focus on evaluating the Baltimore City FIT Unit. The subcommittee will begin meeting in February 2013 and the Department will provide staff to assist in the research and evaluation of the unit. The preliminary evaluation of the program offerings can be completed in six months. When the evaluation is completed, the subcommittee and the Department will review the findings to determine how the program or components of the program can be replicated across the State.

ALTERNATIVES TO DETENTION

As stated, the Department is working with the Annie E. Casey Foundation to expand the Juvenile Detention Alternative Initiative (JDAI) work. In February 2013, the Department will begin work in Prince Georges County. Based on the success of the JDAI work in Baltimore City, we expect to see similar reductions in detention use guided by JDAI core strategies and principles.

CAPITAL PLANNING

The Department is completing design for the replacement of the Cheltenham Children's Center. Construction is scheduled to begin in the fall of 2013. Replacement of the Waxter Children's Center was escalated to the highest priority following the replacement of the Cheltenham in the Governor's Capitol Budget submission. This change was not publicized until after the draft of this report was issued.

FACILITY RESPONSES

Alfred D. Noyes Children's Center

As cited by JJMU, there were fewer total incidents occurring at Noyes in 2012. In January 2013, the Maryland State Department of Education assumed education responsibilities at Noyes. While the space is limited, classroom needs are accommodated with the existing trailers and a multipurpose room at the facility. The Department will continue to work with MSDE staff to resolve additional space needs to the best of our ability. Scheduling issues have been resolved to ensure that all youth continue to receive one hour of large muscle activity daily. Youth in school are supervised by direct care staff. This supervision will be supported by the installation of cameras scheduled for FY14.

JJMU cites the double bunking of youth at Noyes. The Noyes facility was constructed for double occupancy. Youth are monitored closely, to include a check every 15 minutes during the night. The facility uses a "housing classification" tool that provides a systematic approach when classifying youth on admission. Youth are assessed to determine their ability to be housed with a roommate, their supervision level and their special needs. Noyes maintains appropriate staff-youth ratios to ensure proper supervision of all youth.

Baltimore City Juvenile Detention Center

The Department appreciates JJMU's acknowledgement of the significant decrease in incidents of aggression in 2012.

Charles H. Hickey, Jr. School

Direct care staff are required to complete annual re-certification training in de-escalation and restraint techniques to maintain their skill level for safe execution of restraints. The Department consistently monitors and assesses the use of restraints. We are committed to training staff to appropriately manage adolescent behavior, as well as addressing programmatic and therapeutic needs of the youth.

In November 2012, the Department opened an Intensive Services Unit (ISU) at Hickey. The ISU is a programming option available to the facility to manage aggressive youth. Youth are removed from the general population and placed in a unit with a population of no more than ten youth to provide for intensive supervision and mental health services. All assigned staff at Hickey received additional training to work with this specialized population. Mental health staff provide intensive counseling and direct the development of individualized interventions for each youth. In the case cited by JJMU, the youth was placed in ISU after his involvement in six incidents where he was the aggressor. Prior to admission the youth received additional support and counseling from the mental health staff and case manager. The youth was not responsive to interventions and was involved in inciting two group disturbances, placing youth and staff in unsafe conditions. The youth responded to the intensive services provided while in ISU and subsequently made a positive transition back to the general population. Intensive service units are an effective tool in working with the most difficult youth.

Cheltenham Youth Facility

The Department appreciates JJMU's acknowledgement of the significant reduction in acts of aggression at Cheltenham. The Department is completing design for the replacement facility and construction is scheduled to begin in the fall of 2013. The Department monitors the facility population daily and provides oversight to ensure that proper staffing ratios are maintained. As stated, the Department is expanding the JDAI initiative to Prince George's County, where Cheltenham is located, in February 2013. This initiative will help the Department address the appropriate use of secure detention and any additional needs for alternatives to detention.

J. DeWeese Carter Children's Center

Carter is a hardware secure treatment facility for girls. All youth are placed in restraints during transport in accordance with policy. The application of restraints during transport is not a new process at Carter or any other hardware secure facility operated by DJS. The female youth committed to Carter have documented occurrences of escape from other residential treatment facilities. The Department does not think that the current operating practices for off ground transports create an environment that jeopardizes the treatment milieu but rather balances the public safety needs of the youth, staff and the community. The Department is committed to re-evaluating this practice based on youth needs and safety issues.

Lower Eastern Shore Children's Center

The Department appreciates JJMU acknowledging the decrease in the number of incidents involving aggression at the Lower Eastern Shore Children's Center.

Youth are placed in the Department's care as an order of law enforcement and the judicial system. Facility administrators continue to help manage the population by updating the Court with youth progress reports and conducting court-ordered evaluations. When population increases to capacity, the Department takes measures to screen all youth to appropriately determine necessary transfers. LESC maintains appropriate staff-youth ratios to ensure proper supervision of all youth.

Victor Cullen

Victor Cullen is the only state run hardware secure treatment facility. During 2012, there was a significant reduction of aggression, while managing at or near capacity. Administrators, direct care staff and behavior health staff work closely together to address the individual needs of each youth to reduce violent behaviors.

The Department agrees with JJMU that the transfer of ejected youth to Victor Cullen has at times been destabilizing. To address this issue, orientation has been enhanced and an individualized transition plan is developed for each youth.

Thomas J.S. Waxter Children's Center

JJMU cites the various populations for the Waxter facility which appear to be derived from daily population sheets that were erroneously completed following the removal of the committed girls in November 2011. The facility has space for 42 beds, the current rated capacity. When the population increases to capacity, the Department takes measures to screen all youth to appropriately determine necessary transfers. Waxter maintains appropriate staff-youth ratios to ensure proper supervision of all youth. An analysis of the use of detention will be addressed through the expansion of JDAI efforts scheduled to begin in February 2013.

The facility is scheduled for installation of cameras in the school and an overall upgrade of the existing system in FY 2014. Funding to begin design for the replacement facility will begin in July 2013.

Western Maryland Children's Center

The Department has addressed the security camera system repairs. An upgrade of the system is scheduled for FY 2014.

William Donald Schaefer House

The Department expanded the substance abuse program at Schaefer House from three months to four months based on research indicating improved outcomes with longer lengths of stay in treatment. While individuals progress through drug abuse treatment at different rates, one of the most reliable findings in treatment research is that lasting reductions in criminal activity and drug abuse are related to length of treatment. Generally, better outcomes are associated with treatment that lasts longer

than 90 days, with treatment completers achieving the greatest reductions in drug abuse and criminal behavior.

In October 2012, MSDE assumed responsibility for providing educational services at Schaefer House. To accommodate the need for additional educational space, renovations decreased space in the dayroom. The Department is renovating the existing dining area to create a multipurpose space to provide for additional structured leisure time activities.

Schaefer House has an outdoor recreation courtyard. The Department contracts with the local YMCA for additional recreation opportunities. Also, the Department has established a recreation position to support recreation program development and supervision for off campus activities. The Department does not have a policy that requires an administrator to supervise off campus activities as cited by JJMU. The Department is supplementing the staffing plan at Schaefer by assigning staff from the Baltimore City Juvenile Justice Center, enabled by the reduction in population and staffing needs there. With the increase in staffing the recreation program at Schaefer will be enhanced.

Youth Centers

All incidents of aggression are monitored closely by the facility administrators and executive administrators at headquarters. Corrective actions are taken as appropriate and efforts focus on implementing proactive strategies. Adolescent behavior is impulsive and unpredictable resulting in noted fluctuations of incidents. Administrators, direct care staff and behavior health staff work closely together to address the individual needs of each youth to reduce violent behaviors.

The Department remains assertive in our recruitment efforts. Specifically in the Western region, the Department has developed a recruitment strategy that includes increasing our visibility at college job fairs, advertising in local newspapers, hiring blitzes, in addition to our regular posting on DBM's website.

Private Providers

The Department licenses eight residential child care programs that provide valuable services to appropriate youth requiring less restrictive placements.

THE MARYLAND STATE DEPARTMENT OF EDUCATION AT DJS FACILITIES

The following response was provided by the Maryland State Department of Education (MSDE).

It is the policy of the Maryland State Department of Education's Juvenile Services Education (JSE) program to document students' academic progress through the use of a student progress/report card and State Record Form (SR 7). JSE Records Policy R-7 (revised January 31, 2012) states:

Progress Reports will be generated approximately every two weeks from the initial enrollment of the student. Additionally, students released or transferred within 45 days of enrollment in a JSE school will be issued a progress report detailing grades, attendance etc...

Students released or transferred with 45 days or more of enrollment in a JSE school will be issued a report card to document grades, attendance etc.... The report card and the SR-7 form signed by school principal and guidance counselor will be forwarded upon request to a requesting school. Percentage grades contained in the JSE Report Card and SR-7 reflect daily grades which include class work/assignments, class attendance, and class participation/engagement.

Records staff will place a copy of the completed student progress report and or report card in the student's school records file.

At detention facilities youth typically receive educational services average of 17 days. Given this short period of enrollment, JSE is not able to award credits. However, youth's daily grades, attendance, etc... are documented on progress reports and forwarded to the local education agency (LEA) upon request. This documentation allows the LEA receiving school to have the documentation necessary to use the academic progress for the JSE enrollment period towards credits accumulated in conjunction with completion of the marking period or semester at the LEA for credits towards graduation.

In the case of youth receiving enrolled in JSE for 45 days or more, as specified above in JSE policy R-7, the SR-7 and the school report card documents academic progress, attendance, and supplies the LEA with the corresponding credits which the LEA counts towards graduation.

JSE's policies regarding students' records are in accordance with the Maryland Student Records Manual.