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**JUVENILE JUSTICE MONITORING UNIT  
STATE OF MARYLAND**

**FOURTH QUARTER REPORT  
AND 2021 ANNUAL REVIEW**

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

The Juvenile Justice Monitoring Unit (JJMU) is an independent state agency housed in the Office of the Maryland Attorney General. The JJMU is responsible for reporting on Maryland Department of Juvenile Services (DJS) operated and licensed facilities across the state. Monitors from the unit conduct unannounced visits to these sites to guard against abuse and ensure youth receive appropriate treatment and services.

The mission of the JJMU is to promote the transformation of the juvenile justice system into one that meets the needs of Maryland's youth, families, and communities. This mission is accomplished by collaborating with all who are involved with the system.

The Unit has access to DJS incident and case notes databases and to DJS internal investigation and grievance documents. Monitors spend significant time gathering information and observing all aspects of operations. We sit in on activities and classes, interview youth, staff and administrators, and review video footage and original incident report documentation. The JJMU issues public reports covering each calendar quarter. These reports include data and analysis concerning treatment of and services provided to youth in DJS detention and placement facilities throughout our state. Formal responses from DJS and the Maryland State Department of Education (which is responsible for education services in DJS facilities) are included within the reports.

The JJMU has been instrumental in driving positive changes in the Maryland juvenile justice system since its formation in the wake of widespread systemic abuse issues. The activities of the independent monitoring agency increase the transparency and accountability of the system and raise awareness of the needs of justice-involved Maryland youth. We will continue to push for the adoption of best practices as we evaluate current and emerging research and promising practices that serve to both enhance public safety and produce positive outcomes for young people in contact with the juvenile justice system.

## **JJMU Fourth Quarter Report and 2021 Annual Report Compendium**

The Maryland Juvenile Justice Monitoring Unit (JJMU) issues public reports covering each calendar quarter that include data and analysis concerning treatment of and services provided to youth in Maryland Department of Juvenile Services (DJS) directly run and licensed facilities throughout Maryland. Enclosed please find the unit's compilation of fourth quarter 2021 reports and an annual calendar year 2021 review.

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

The JJMU Fourth Quarter Report and 2021 Annual Review Compendium was produced by Margi Joshi, Nick Moroney, Tim Snyder, and Marvin Stone. Thanks to Taran Henley, Fritz Schantz, and Maria Welker for technical assistance.

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

Current and prior reports of the Maryland Juvenile Justice Monitoring Unit and related responses are available through our website at:

<http://www.marylandattorneygeneral.gov/Pages/JJM/default.aspx>



**NICK MORONEY**  
*Director*

STATE OF MARYLAND  
JUVENILE JUSTICE MONITORING UNIT

March 2022

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

The Honorable Bill Ferguson, President of the Senate  
Maryland General Assembly

The Honorable Adrienne A. Jones, Speaker of the House of Delegates  
Maryland General Assembly

Members of the General Assembly

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

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

Dear Governor Hogan, Senate President Ferguson, Speaker of the House Jones, Members of the General Assembly, Secretary Abed, and State Advisory Board Members:

Throughout 2021, youth in facilities were frequently subjected to conditions of quarantine and medical isolation in which activities were severely limited, and young people were confined to units for several weeks at a time (or their cells for 10 days during medical isolation). Prolonged periods of isolation and disruption in daily routine increased levels of depression and anxiety among incarcerated young people.

Staffing and programming disruptions were particularly severe at all DJS facilities at the end of 2021 due to a contagious variant of the COVID-19 virus which proliferated through facility youth and staff.

Visits were disallowed for long periods of time due to concerns about the spread of infection. Young incarcerated people were cut off from in-person contact with loved ones and have had limited phone contact with families. These circumstances and conditions created psychological distress and exacerbated existing mental health conditions. Excessive boredom, anxiety, and fear among youth contributed to an uptick in incidents across many DJS facilities during the fourth quarter of 2021.

Conditions (including very severe staffing shortages and youth confined to cells for long periods as a result) were especially acute at Cheltenham Youth Detention Center which required outside assistance from state police to restore safety after a group disturbance at the facility (see the Cheltenham report which begins on page 7).

School services were also severely disrupted during the recent COVID-19 outbreak across all DJS facilities. At the onset of the COVID-19 outbreak that occurred during the fourth quarter of 2021, in-person school services at all facilities were abruptly stopped, teachers were banned from facilities, and students were provided with packets to complete on their own. Unassisted packet work is not an adequate substitute for professionally led instruction by qualified education personnel. (Please see the COVID-19 Response section beginning on page 2 for more details and recommendations.)

Respectfully submitted,

*Nick Moroney*

Nick Moroney  
Director  
Maryland Juvenile Justice Monitoring Unit

Cc: Attorney General Brian Frosh  
Chief Deputy Attorney General Elizabeth Harris  
Deputy Attorney General Carolyn Quattrocki  
State of Maryland Treasurer's Office  
The Office of the Comptroller of Maryland  
Deputy Secretary Wallis Norman, Mr. Karl Pothier and Mr. Jay Cleary, DJS  
Margi Joshi, Tim Snyder and Marvin Stone, JJMU

# JUVENILE JUSTICE MONITORING UNIT FOURTH QUARTER REPORT AND 2021 ANNUAL REVIEW

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## DJS Hardware Secure Detention

Short-term, pre-disposition/pending placement

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

## DJS Committed Placement

Long-term, post-disposition

- Victor Cullen Center (Cullen)
- Garrett Children's Center (GCC)
- Mountain View
- Backbone Mountain and Green Ridge youth centers (two youth centers)
- Silver Oak Academy (SOA) [DJS licensed]

## Incident and Population Trends

Calendar year 2021 population and incident trends versus 2020:

- ✓ Average daily populations (ADP) of youth decreased at BCJJC, CYDC, Waxter, Noyes, and WMCC detention centers and in committed placement at Cullen and the two youth centers
- ✓ Youth on youth fights and assaults decreased in secure detention at BCJJC, CYDC, Hickey, Waxter, Noyes, and WMCC and in committed placement at Cullen and the two youth centers.
- ✓ Physical restraints decreased in secure detention at BCJJC, CYDC, Hickey, Waxter, Noyes and LESCC and in committed placement at Cullen and the two youth centers.
- ✓ The use of mechanical restraints decreased in secure detention at CYDC, Hickey, and Noyes and in committed placement at Cullen and the two youth centers.
- ✓ The use of seclusion decreased in secure detention at Hickey, Waxter, Noyes and WMCC and in committed placement at Cullen.
- Youth on youth fights and assaults increased at LESCC secure detention center.
- Physical restraints increased in secure detention at WMCC and in committed placement at Mountain View.
- Mechanical restraint usage inside facilities increased in secure detention at BCJJC, Waxter, and WMCC.
- Seclusions increased in secure detention at BCJJC and CYDC.
- There were 117 incidents involving suicide ideation, three suicide attempts, and 50 incidents of self-injurious behavior at DJS-operated facilities in 2021. Incidents of self-injurious behavior increased by 52% compared to 2020.

# **COVID-19 Response in Juvenile Services' Facilities**

## COVID-19 Response in Juvenile Services' Facilities

COVID-19 outbreaks and infection response and mitigation efforts continue to take a toll on the developmental, physical, and mental health of incarcerated young people inside DJS facilities. The emergence of the highly contagious Omicron variant is the most likely driver of increased numbers of youth and staff infections which, in turn, produced major disruptions in staffing levels, living conditions, programming and services within DJS facilities at time of writing (early February of 2022).

At least 182 staff and 90 youth tested positive for COVID-19 in December 2021 alone. So far in 2022 (as of February 7, 2022), 44 youth and 194 staff have tested positive for COVID-19. An increasing number of youth were required to spend extended periods of time in quarantine due to exposure to COVID-19 or in medical isolation due to testing positive for the virus beginning in the fourth quarter of 2021. Several facilities had to bring in community case workers to fill in for staffing shortages caused by large numbers of facility staff who contracted COVID-19.

Prolonged periods of isolation and disruptions in daily routine increased levels of depression and anxiety among incarcerated young people. Most youth in contact with the juvenile justice system have experienced traumatic events and many have underlying mental health issues. Throughout 2021, youth in facilities were frequently subjected to conditions of quarantine and medical isolation in which activities were severely limited, and youth were confined to units for several weeks at a time (or their cells for 10 days during medical isolation). Visits were also disallowed for long periods of time due to concerns about the spread of infection. Young incarcerated people were cut off from in-person contact with loved ones and had limited phone and some virtual contact with families. These circumstances and conditions created psychological distress and exacerbated existing mental health conditions. Excessive boredom, anxiety, and fear among youth contributed to an uptick in incidents across many DJS facilities. For example:

- At Waxter, a girl who was a new admission was medically isolated in her cell on the quarantine unit for over a week due to delays in getting testing results from the state medical lab. When she eventually was cleared to be placed in general population, she contracted COVID-19 and was medically isolated again for two weeks. The youth met with mental health while in medical isolation and reported stated that “this isolation is really bad for my anxiety, I am going to kill myself.” As the clinician was leaving her cell, she told the girl that she would visit with the youth again in two days (on Wednesday) to which the girl responded “I’m not going to be here on Wednesday.” (Incident 169212)
- At BCJJC, a youth with COVID-19 in medical isolation set fire to his mattress. Examination of his cell revealed that the youth was able to obtain an air wick spray can, a roll of tape and 10 ink pens. The fire department was notified and responded. They discovered a wire behind the bed and a wire hanging from the light fixture that may have been used to set the fire. (Incident 169176)

- Even in smaller facilities with lower levels of incidents, such as Western Maryland Children’s Center, incident numbers were elevated during the fourth quarter of 2021. Western Maryland Children’s Center accommodated out-of-region youth due to COVID-19 surges in metro area facilities. Two of the three units had to be converted to quarantine units to accommodate new admissions and youth exposed to COVID-19. Average daily population for the fourth quarter of 2021 at WMCC increased by 33% compared to the third quarter of 2021, physical restraints more than tripled and use of mechanical restraints increased substantially when comparing the two time periods. (See chart on page 34).
- Cheltenham Youth Detention Center (CYDC) also had an uptick in incidents during the fourth quarter of 2021 and faced deteriorating conditions that affected safety, security, and stability at the facility due to, among a number of other issues, staffing shortages brought on by the COVID-19 outbreak (see incident chart located on page 9).
- At CYDC, youth were confined to the unit for school, recreation, and meals for weeks at a time due to constant exposures to COVID-19 positive youth and staff. At the same time, COVID-19 positive youth on the unit were not separated and brought to another area of the facility. Instead, they were isolated in their cells located on the unit and used the same showers as other youth. This situation created much anxiety among staff and youth (Grievance 17292).

School services were severely disrupted during the recent COVID-19 outbreak across all DJS facilities. At the onset of the COVID-19 outbreak that occurred during the fourth quarter of 2021, in-person school services at all facilities were abruptly stopped, education personnel were banned from facilities, and students were provided with packets to complete on their own. Unassisted packet work is not an adequate substitute for professionally led instruction by qualified education personnel.

Education services shifted from packet-based to virtual format at the beginning of 2022, however many students on quarantine or in medical isolation do not have access to online classes since they are confined to living units; living units at many DJS facilities are not equipped with internet access.

Simple measures that could help kids cope with restrictions, programming disruptions, and limited movement were not consistently provided to youth across DJS facilities. These include:

- supplying youth with MP3 players and nooks and fixing broken televisions on units (see CYDC page 13);
- allowing extra time for recreation outside and in gyms (where available);

- and providing adequate sports equipment (such as basketballs in adequate condition and in sufficient quantity to provide for individual use to conform to COVID-19 restrictions on contact sports) (see Victor Cullen, page 38).

In addition, while administrators at DJS Headquarters pledged to provide additional opportunities for contact home during the holiday period, these plans were not effectuated at the facility level. Youth at BCJJC reported not getting even the modicum of allotted virtual and phone calls permitted by DJS (which amounts to 50 to 60 minutes of contact with family members per week) during the holiday time, due to case management staffing shortages. Youth at CYDC reported deteriorating mental health due to the lack of phone contact home (Grievance 17290).

The Department needs to prioritize the mental health and social and emotional well-being of youth inside DJS facilities. At a minimum, efforts should be directed at:

- Creating and implementing a variety of recreation and enrichment activities and outlets that adhere to COVID-19 prevention and mitigation protocols. Such measures can include:
  - Ensuring that all youth at every DJS facility have access to TV, individual MP3 players and radios, e-readers and books while on living units so that music, movies, television shows and reading material and can be used as coping mechanism to alleviate youth boredom
  - Providing more recreation time outdoors and in gyms and ensuring all facilities have access to enough up-to-date recreation equipment to meet the needs of each child
  - Increasing structured programming such as arts and crafts, group activities, volunteer opportunities, and virtual programming aligned with youth interests
- Providing youth with more family contact and utilizing community case managers to facilitate phone and virtual calls inside facilities when there are shortages in facility case management staff that limit the fulfillment of necessary case management duties
- Improving the delivery of education services through coordination between DJS and MSDE with an emphasis on:
  - Privileging in-person instruction and utilizing remote learning as a last resort and only when absolutely necessary. According to public health and education

experts, “reduced access to in-person learning is associated with poorer learning outcomes and adverse mental health and behavioral effects in children.”<sup>1</sup>

- Using a facility-by-facility assessment to determine when education services should shift from in-person instruction to virtual instruction
- Discontinuing the use of worksheets as a substitute for instruction
- Equipping living units with internet access so that students on quarantine and medical isolation can access virtual education and online college courses
- (Even during periods of virtual education,) enabling some education personnel to be on site at each facility during the entire school day to provide academic assistance and help with logistics in operating the virtual education program. Teaching staff could work on a rotating basis or have limited working hours when they are in contact with youth to mitigate exposure to the virus. Any interaction or assistance from on-site educators during school hours would help school operations run more smoothly and productively

The holistic approach to youth wellness outlined above can mitigate the harms caused by incarceration and in particular the physical and mental adverse effects that result from being incarcerated during an ongoing public health crisis.

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<sup>1</sup> Oster E, Jack R, Halloran C, et al. Disparities in Learning Mode Access Among K-12 Students During the COVID-19 Pandemic by Race/Ethnicity, Geography, and Grade Level – United States, September 2020 – April 2021. *MMWR Morb. Mortal Wkly Rep* 2021;70:953-958. DOI: <http://dx.doi.org/10.15585/mmwr.mm7026e2external icon>

# CHELTENHAM YOUTH DETENTION CENTER

## Cheltenham Youth Detention Center

Cheltenham Youth Detention Center (CYDC), located in Prince George's County, is a hardware secure (locked and fenced) detention center owned and operated by the Department of Juvenile Services (DJS/the Department). The DJS-rated housing capacity is 72 boys. Black youth represented 77% of total youth entries in calendar year 2021, compared to 74% in 2020. Hispanic/Latino youth represented 14% of entries in 2021 compared to 13% in 2020.

<b>CYDC – Selected Incident Categories</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
<b>Average Daily Population (ADP)</b>	<b>54</b>	<b>42</b>	<b>28</b>
1. Youth on Youth Assault/Fight	127	120	60
2. Alleged Youth on Staff Assault	7	6	7
3. Physical Restraint	152	178	101
4. Use of Handcuffs and/or Shackles	4	11	3
5. Seclusion	6	13	21
6. Contraband	5	16	8
7. Suicide Ideation	8	5	7
8. Suicide Attempt	0	3	1
9. Self-Injurious Behavior	4	14	11

Average daily population in 2021 decreased by 33% when compared to 2020 while youth on youth fights and assaults decreased by 50%, use of physical restraints decreased by 43%, and use of mechanical restraints (handcuffs and/or leg irons) decreased by 73%. However, incidents of seclusion increased by 62% and suicide ideation also increased by 2 (from 5 instances in 2020 to 7 instances in 2021). There was one suicide attempt in 2021 and 11 incidents of self-injurious behavior.

## Safety and Security

Cheltenham experienced a deterioration of facility safety, security, and stability during the fourth quarter of 2021 stemming from multiple factors described in length in the sections below. Issues during the quarter included:

\*Serious school incidents resulting in staff injuries

\*Influx of additional staff and youth from a different facility at a time when CYDC was experiencing difficulties managing population dynamics

\*Breakdown in a cohesive team approach and staff misconduct

\*Numerous incidents involving a youth with high mental health needs which impacted youth and staff safety

\*A Covid-19 outbreak at the facility coinciding with the holiday period and resulting in critical staffing shortages and heightened youth anxiety and stress

\*Disruptions in the daily routine of youth (including the halting of in-person school services) in response to the COVID-19 outbreak which exacerbated feelings of boredom and heightened the risk of acting-out behaviors

\*Lack of initiative to ensure youth had outlets to ease stress, anxiety and boredom through structured activities, additional recreation time, and increased family engagement.

The chart below summarizes the extent to which facility climate worsened in the latter months of 2021. Incidents involving aggression increased substantially in the fourth quarter of 2021.

<b>Selected Incident Categories</b>	<b>CYDC Q3 2021</b>	<b>CYDC Q4 2021</b>
<b>Average Daily Population (ADP)</b>	<b>23</b>	<b>30</b>
1. Youth on Youth Assault/Fight	1	27
2. Alleged Youth on Staff Assault	0	5
3. Physical Restraint	10	42
4. Use of Handcuffs and/or Shackles	0	3
5. Seclusion	1	14

Comparing the third quarter of 2021 to the fourth quarter of 2021, the average daily population of youth increased by 30% while youth fights and assaults increased by 2600%, physical restraints of youth by staff more than quadrupled, and incidents involving seclusion increased by 1300%.

These issues, which were ongoing throughout the quarter, culminated in a major incident lasting several hours in which police intervention was requested to restore facility safety and security (see the section on page 15 entitled “Major Incident on New Admission Quarantine Unit”).

### **School Safety**

Movement to school was halted for a couple of days during the fourth quarter of 2021 due to school safety issues. A series of brawls erupted during school on a number of separate occasions during the fourth quarter involving several students from multiple units (Incidents 168753, 168977, 169466, 169006). A youth involved in one these brawls was later found to have contraband consisting of several batteries tied up in a sock (Incident 169006). Some of the fights led to multiple staff injuries which put a strain on existing staff who were required to work frequent overtime going into the holiday season (a period when staff call-outs have historically been high).

### **Influx of youth and new staff**

The Department temporarily closed the Noyes detention center, located in Montgomery County, in early December 2021, to convert the facility to an all-girls detention center. Most boys housed at Noyes were transferred to CYDC. In addition, many Noyes staff were reassigned to Cheltenham to help with staffing. Staff from Noyes received only one day of orientation to work at their new facility even though CYDC is a much larger facility than Noyes with more fortified security apparatus. The merger of the two facilities coincided with a time when direct-care staff at CYDC were strained from managing troublesome population dynamics at the facility. Staff at CYDC had the added burden of working to assist Noyes staffers with learning the ins and outs of facility operations and layout while fulfilling their own duties.

### **Team work**

There was a breakdown in a cohesive team approach at CYDC to help prevent and address incidents during the fourth quarter of 2021.

In Incident 169270, a youth who was locked in his cell asked a staffer for water. Another more experienced staff on the unit told the staffer not to unlock the door as the youth was at that point agitated with the senior staffer and needed time to calm down. The staffer ignored the request of the senior staffer and opened the door. The youth ran up to the senior staffer and began to assault him while the other staffer watched but did not immediately intervene or call for assistance to help the senior staffer during the assault. Eventually the other staffer called for staff assistance to help separate the youth and the senior staffer.

In Incident 169018, a staffer observed two youth verbally arguing in a unit dayroom but remained seated away from the youth and did not attempt to de-escalate the youth. The youth began fighting and another staffer stationed in a movie room (separately located within the dayroom) ran from his post and intervened to physically separate the youth. The staffer posted nearer to the fighting youth in the dayroom did not intervene to help the staffer who ran to the youths but stood watching the incident unfold. Staff assistance from other units arrived to help the intervening staffer with the two fighting youth.

In Incident 168885, a school fight began with a verbal altercation. Instead of engaging in de-escalation and utilizing crisis management skills to potentially stave off a physical altercation, the staffer supervising the youth ran out of the classroom when the youth began fighting. Staffers from other areas of the school entered the room to break up the fight.

### **Unprofessional staff conduct**

Unprofessional staff conduct contributed to incidents during the fourth quarter of 2021.

In Incident 169022, a staffer believed that a youth had taken her watch which she had left at the facility the night before. In fact, another staffer on the same unit had the watch in his possession for safekeeping. The agitated staffer walked up to the youth she falsely accused of stealing her watch and grabbed his arm and pushed him. The staffer and youth began pushing each other and tussling and the youth fell to the floor as a consequence. Another youth entered the melee and used the staff radio to call for assistance while swatting his peer's buttocks repeatedly.

In Incident 169266, a youth with serious mental health issues spit at a staffer and the staffer spat back at the youth. The youth then tried to choke the staffer and the staffer pushed the youth and began to engage in a physical altercation with him. Staff assistance arrived and the staffer had to be physically restrained and separated from the youth by other staff to keep the staffer from further agitating the youth.

### **Youth with High Mental Health Needs**

Youth with severe mental and behavioral health issues continue to be inappropriately housed in detention settings which often causes their mental health to deteriorate. Beginning during the fourth quarter of 2021, a high-needs youth spent over three months at CYDC awaiting an appropriate placement setting to address his underlying complex behavioral and mental health conditions. The youth was involved in frequent incidents during the quarter including:

Repeatedly expressing suicide ideation or engaging in self-harm (Incidents 169019, 168889, 168854, 168821);

Having severe adjustment issues on all the living units in which he was placed and assaulting other youth or being assaulted by multiple youth on his living unit (Incidents 169392, 169396, 169388, 169256, 168980, 169013, 169005, 168890);

Engaging in low impulse control behaviors including throwing trash cans and destroying phones, water coolers, posters, televisions, and other items on the living unit (Incidents 169398, 169366, 169076, 168967, 168928, 168927, 168906, 168854); and

Assaulting and spitting on staff and being combative toward staff (Incidents 168979, 168889, 168885, 168829, 169266).

Responses to problematic behavior in detention primarily entail the use by DJS staff of verbal orders, restraints, seclusion, and brief check-ins by mental health staff on-site once an incident has occurred. Detention centers are not equipped or resourced to provide comprehensive services by specialized experts for youth with pervasive mental health challenges. Staff responses to control youth behavior through physical and mechanical restraints and isolation can often further escalate problematic behaviors and lead to staff and youth injury. Attempts to accommodate the behavioral needs of the child involved in the incidents listed above seriously taxed available DJS line staff who were already experiencing burnout from working overtime due to severe staffing issues connected to the spread of COVID-19 and the holiday season.

### **COVID-19 Outbreak**

Staffing issues during the fourth quarter were chronic due to multiple staff injuries sustained while on the job and compounded by an outbreak of COVID-19 at the facility. At least 30 staff and 6 youth at CYDC tested positive for COVID-10 in December of 2021. Many staff who reported to duty were required to work 30+ hour shifts during the height of the staffing shortage. At time of writing (March of 2022), staff shortage remains a critical issue.

The outbreak was sudden, widespread and difficult to assess, trace and contain. Youth infected with the virus were not removed and isolated from their peers on their unit. Instead, sick youth were kept in their cells on medical isolation within living units. Other (COVID-negative) youth on the same living units were required to be in quarantine and remain on-unit for school, meals, and recreation. Forcing youth to be housed in the same general area and share the same shower rooms as their infected peers heightened fear among both young people and staff. One youth remarked that DJS “doesn’t care about us or what happens to us” and added “we are just sitting ducks” waiting to get infected.

Youth wrote grievances about the conditions of confinement and their discontent. In Grievance 17292 youth requested Lysol spray and wipes on the unit because “COVID youth are on the unit”. When interviewed by the DJS child advocate, youth shared that “they are frustrated with how they are being treated on the unit. They went on to say that there are two COVID-positive youth on their living unit and that the staff are not cleaning the unit after movement. Youth [name deleted] stated that the staff would not clean the shower after one of the COVID-positive youth showered, so the complainant cleaned it himself. [Another youth] reinforced that they feel at risk being on the unit with youth that are sick.”

The COVID-19 outbreak coincided with the holiday period – an already stressful time for incarcerated youth – and further heightened seasonal anxiety levels caused by forced separation from family.

### **Disruption in School Services**

At the onset of the COVID-19 outbreak, in-person school services at all facilities, including CYDC, were abruptly stopped; education personnel were banned from DJS detention and placement facilities; and students were provided with packets to complete on their own. Unassisted packet work is a wholly inadequate substitute for professionally led instruction by qualified education personnel.

Virtual education services are superior to packets but cannot take the place of in-person teaching. Virtual services were beginning to be provided at DJS facilities at time of writing (January 24, 2022). However, living units at CYDC (and at other DJS facilities) are not equipped with internet access and therefore students confined to their units during periods of quarantine do not have access to virtual instruction. A high school graduate who was moved to CYDC from Noyes was in the midst of community college courses during the fourth quarter of 2021. He missed classes during the fall semester due to being on quarantine and not having access to a computer with internet access and therefore did not receive credit for the classes in which he was enrolled.

### **Extreme Boredom**

Extreme boredom was prevalent throughout the facility during the fourth quarter of 2021. For months, youth on the new admission quarantine units asked to use MP3 players to help them pass time and cope with boredom. The players were supposed to be distributed. They were never received. TVs on several units have been broken for half the calendar year and remained unrepaired during the height of the health crises (December 2021 and January 2022), despite the lack of almost any other activities or means to pass time being available for youth. Youth on all units also complained of lack of structured activities for recreation and lack of programming on the unit during periods of quarantine. One youth noted to the monitor that “there is nothing to do here. We just sit on the unit all day, eat our meals, and then lock in for the night.” Both recreation specialists at Cheltenham resigned during 2021. The recreation specialist from the Noyes detention facility was reassigned to CYDC after the temporary closure of Noyes in December of 2021. However, she was not briefed on facility recreation schedules and protocols at CYDC and did not receive instruction and training on how to access recreation equipment and materials at the unfamiliar facility. As a result of a lack of appropriate planning, youth lacked access to recreation equipment such as individual basketballs and properly inflated footballs for use during recreation.

Cheltenham has a large fenced-in outdoor space at the back of the facility with a track, football field, and exercise equipment, ostensibly for youth use. This area has rarely utilized since the facility opened, apart from a handful of instances and special events. Youth were, as usual, not allowed access to this space during quarantine even though supervised outdoor

recreation is one of the safest activities available for youth. Youth also reported to the monitor that they were not allowed access to the large indoor gym for recreation during the COVID-19 outbreak that began in December 2021. Administrators cited COVID-19 restrictions and staffing constraints as reasons for not allowing youth gym time.

Non-medically isolated youth at Cheltenham reported restlessness due to early lock-in times (6:45 pm in the evening) and having to spend inordinate amounts of times locked in their cells overnight. In Grievance 17278, a youth reported: "Lock in time be too early. I fall asleep 3 or 4 hours after my lock in. After me going to sleep for 3 or 4 or 5 hours, I wake up and stay awake for the rest of the night, I don't get enough sleep. I can't function." Another youth concurred, stating in his grievance that "We need to lock in later. We always have too much energy in our rooms.....because 6:45 is too early" (Grievance 17298).

In the two days before the Christmas holiday, youth on several units were locked in their cells for even longer periods of time (from 6:45 pm until late afternoon the following day) due to a lack of available staff to supervise youth.

### **Lack of Family Engagement**

Opportunities for increased family contact can help youth cope with deficits and disruptions in youth programming caused by staffing shortages and COVID-19 outbreaks and assist them in managing the anxiety, stress, and isolation of being incarcerated in the midst of a pandemic (especially during the holidays). However, visits were banned due to the COVID-19 outbreak in the latter half of the year and youth were not allotted additional phone contact with loved ones beyond the standard bare minimum of a total of 5 calls home lasting between 10 to 15 minutes each, spread out over the week. Even this minimal allotment was difficult to maintain throughout the fourth quarter of 2021 due to staffing issues.

In Grievance 17296, a youth wrote:

1) Because of the lock down we aren't able to [have] visits. Barely being able to communicate with my family is causing extreme depression and the holiday [also] causes lack of mental health staff which inflates [the problem]. Early lock-ins are not helping [because we are] alone in a cell 2) During this chaotic time the staff members in CYDC have not been making sure we receive our normal amount of phone calls even though we should be receiving more due to visitation restrictions. CYDC standards are not healthy for any youth[’s] mental health.

In Grievance 17290, a youth wrote:

I've been feeling depressed due to being on quarantine and not being able to contact my family and it's Christmas and I have not been able to talk to my peoples. My GTL [contracted phone service used by the State in prisons and secure juvenile facilities] don't even work and its getting me very angry.

## **Major Incident on New Admission Quarantine Unit**

Young people on one of the new admission quarantine units engaged in a series of escalating behaviors in which they refused to lock-in to their cells days before a major incident occurred on the unit on December 24, 2022.

In Incident 169023, a newly admitted youth refused to stay in isolation while he waited for his COVID-19 test results.

In Incident 169090, another newly admitted youth on the unit refused to lock in before his test results were received. The youth was mechanically restrained and put in seclusion.

In Incident 169367, two days before the major incident, more than seven staff were called for assistance to help restrain a highly resistant youth who refused to lock in.

In Incident 169387, one day before the major incident, the same youth [who was involved in Incident 169367] and his peers refused to lock in during shower time. His peers ran into the mental health office and destroyed computer equipment and threw papers around. While his peers were restrained and placed in their rooms, the youth was allowed to stay out of his room for 45 minutes past lock in time, then allowed to shower before locking in. During this time, he paced and danced around the unit as staffers engaged him in conversation.

In Incident 169200<sup>2</sup>, critical staffing shortages prevented an effective response to youth behavior and created extremely unsafe conditions for youth and staff alike.

The incident began during evening lock-in time when an assistance call was made to help break up a fight between two youth in the unit dayroom. The Superintendent of the facility, who was in coverage due to staffing shortages, responded to assist a female staffer and a trainee staffer on the unit with separating the two youth and implementing crowd control measures. It should be noted that the experienced female staffer on the unit had already worked for a consecutive 30 hours when this incident occurred.

The augmented staff moved to lock four youth who were resisting entering their cells into a movie room located within the dayroom – this action was intended to keep them out of harm's way and also keep them from interfering with the staffers' overall response to the incident. Staff placed one of the two youth who were fighting into his cell. The second youth involved in the fight had a history of refusing to lock-in his cell in the days prior to the most serious event (see Incidents 169387, 169367 above) and he began aggressively resisting being placed in his cell on this occasion.

The superintendent was badly injured during his efforts to restrain this highly agitated youth. He left the unit to seek medical help from facility nursing staff who advised him to go to

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<sup>2</sup> The description of the incident was derived from the written incident report, staff witness statements, youth statements, and staff observations.

the emergency room based on the nature of his injuries. He was eventually transported to hospital for evaluation of a head injury. Before he left, he instructed the female staffer and male trainee to leave the unit as it was not safe for them to be on the unit alone with the youth who was acting out. The superintendent also advised the staffers to remain in visual contact with all the youth in the dayroom. The female staffer moved to take a more protected position by standing inside a vestibule between the dayroom and outside basketball court and wait there while keeping an eye on the unit until assistance could arrive.

As there were no other staff at the facility available (due to chronic staff shortages) to assist in securing the youth in their cells, the facility contacted state police to help staff escort youth to their rooms. Despite numerous calls to the police from several personnel at the facility, state troopers took over two-and-a-half hours to arrive at the facility. Youth who remained locked into the movie room became restless during this time and picked up filing cabinets and other furniture in the room and began to throw it against the windows in an attempt to get out of the room. In the meantime, the remaining youth in the dayroom destroyed posters, phones, and other items and continued to threaten staff standing in the vestibule. The youth also allegedly retrieved a water bottle, urinated inside of it, and threw it inside the cell of the youth that he was fighting with earlier. The same youth also allegedly stated that, "As long as I am in this facility, I am going to [expletive] this place up. The youth, the staff, and the units."

Once state police arrived, staff informed the police that they needed help securing youth in their rooms. Administrators at DJS Headquarters authorized the police to enter the unit with firearms, tasers, pepper spray and riot gear even though police entering the facility are required to check their weapons in at intake. Law enforcement restrained and placed youth in their rooms within minutes. One youth who pulled his arm away and walked away from a police officer during an attempt to place him in his room was pepper sprayed.

DJS has stated to JJMU that due to IT issues, there is no video recording of the events during the incident just described.

Following the incident, all youth on the unit were kept in seclusion for two days. Youth were then let out in two separate groups for two hours at time while DJS attempted to formulate a strategy to manage group dynamics at CYDC.

Several youth from the unit who were locked in the movie room filed a grievance about the incident, stating that "staff left me in the movie room unattended and I was in there for hours and they had policemen with guns and tasers and batons [who] came [in] and I feared for my safety and a youth was maced and thrown in his cell with no medical attention [and] another youth couldn't breathe [and] I couldn't either (Grievance 17295)"

### **Promoting a Positive Facility Culture**

Since the time of the incident above, a Superintendent assigned to Garret County Children's Center has been temporarily posted at Cheltenham to run the facility. However the facility requires permanent and capable leadership.

Promoting a positive facility culture should be a priority for the Department. Cheltenham continues to be in chronic need of experienced, active, and engaged leadership that has an ability to:

- Re-establish stability and provide structure to improve the facility milieu and concentrate efforts on reducing the (continuing) high numbers of daily incidents;

- Keep youth and staff safe from harm by bolstering staffing (which at time of writing remains at critically low levels);

- Utilize a team approach to ensure youth have appropriate services, supports, and resources to keep them constructively and meaningful engaged and mentally and physically healthy during their incarceration and amidst a COVID-19 outbreak, and

- Make active and continuous efforts to raise employee morale and restore trust in management.

## **OTHER DETENTION CENTERS**

## Baltimore City Juvenile Justice Center

The Baltimore City Juvenile Justice Center (BCJJC) is a hardware secure (maximum-security) detention center for boys. The Maryland Department of Juvenile Services (DJS/the Department) owns and operates BCJJC. The DJS-rated housing capacity is 120 beds. Black youth represented 86% of total entries in 2021 compared to 88% in 2020.

<b>BCJJC – Selected Incident Categories</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
<b>Average Daily Population (ADP)</b>	<b>77</b>	<b>48</b>	<b>37</b>
1. Youth on Youth Assault/Fight	268	188	151
2. Alleged Youth on Staff Assault	36	25	29
3. Physical Restraint	361	237	211
4. Use of Handcuffs and/or Shackles	83	56	62
5. Seclusion	39	45	72
6. Contraband	35	18	9
7. Suicide Ideation	22	5	11
8. Suicide Attempt	1	1	1
9. Self-Injurious Behavior	1	5	2

The average daily population at BCJJC decreased by 23% in 2021 compared to 2020 while youth on youth incidents of aggression decreased by 20% and use of physical restraints decreased by 11%. However, despite the decrease in population, use of mechanical restraints (handcuffs and/or leg irons) increased by 11%, incidents involving seclusion increased by 60%, and instances of suicide ideation more than doubled during the same time period. There was also an uptick in alleged youth on staff assaults when comparing the two time periods (from 25 incidents in 2020 to 29 incidents in 2021).

Safety, security, and supervision issues continue to put youth and staff health at risk at BCJJC and contribute to an adult prison-like environment at the facility. There were concerning incidents involving youth possession and use of contraband at the facility during the fourth quarter of 2021.

In Incident 169176, a youth with COVID-19 in medical isolation (confined to his cell) set fire to his mattress. Examination of his cell revealed that the youth was able to obtain an air wick spray can, a roll of tape and 10 ink pens. The fire department was notified and responded. They discovered a wire behind the bed and a wire hanging from the light fixture that may have been used to set the fire.

In Incident 168638, a staffer discovered an external battery phone charger and iPhone inside a youth's cell. The staffer turned in the items to supervisors. Administrators mishandled the subsequent inquiry into the origin of the cell phone and charger.

Administrators also failed to notify and turn in the contraband cellphone to the Department's Office of Inspector General (OIG) for investigation as required per DJS policy. Instead, the cell phone sat in an administrator's office for weeks after the phone was found.

After becoming aware of the contraband incident (168638), an independent investigation was conducted by the OIG to determine how the cell phone entered the facility. When OIG investigators asked administrators about the contraband and its origins, one administrator told investigators that "staff had not determined how the cellphone had gotten into the facility" and another administrator told an OIG investigator that he believed the cell phone came into the facility because staff did not adequately search the youth during intake even though a facility supervisor uncovered evidence that the cell phone was likely brought in by a staff member.

The facility supervisor was interviewed by OIG investigators about his findings regarding the cell phone. The supervisor reported that staff showed him the cell phone found in the youth's room soon after finding the phone. During an interview by an OIG investigator concerning the incident, the supervisor noted the following:

The supervisor... indicated that an external battery phone charger had been located with the phone. [He] stated that he charged the external battery charger and was then able to charge the phone and turn it on. [He] described that the screen for the iPhone was extremely cracked and that [the youth] was apparently keeping the phone in his sock and walking on it in order to conceal it from discovery by the staff. [He] also stated that after powering the iPhone on, he was able to see the date that the phone was activated and text messages that [the youth] had sent to his father, mother, and a girl, and [the youth] was making calls for other youth on the unit, requesting that pictures be sent. [He] stated that [the youth's] mother had texted him back that she was in the office and would have to talk to him later.

[He] advised that based on the activation date of the iPhone, a request was made to review [the youth's] GTL<sup>3</sup> telephone calls from around that time. [A case manager] pulled up the telephone calls. [He] indicated that [the youth] is talking very softly on the recordings. [He] indicated that staff was able to determine from the recordings that [someone] was going to pay an unidentified staff member to bring the iPhone into BCJJC for [the youth]. During one of the phone calls [a man on the phone] is heard telling [the youth] that he paid so much for the phone and that the unidentified staff wanted "two" to deliver the phone. [The man on the phone] thought that meant two hundred, but the staff member told him no, \$2000 to bring the phone in. [The man on the phone] thought that [the youth] had already negotiated a price and that the unidentified staff was trying to "come up" on him. [The man on the phone] told the youth he wasn't going to pay two thousand dollars; he was willing to pay five or six hundred and asked [the youth] to renegotiate the price with the staff member. [The youth] also allegedly told [the man on the phone] that "he (unidentified staff) said tomorrow or Sunday". It is presumed that [the youth] was telling [the man on the phone] when the staff member was available to meet in order to get the phone and charger. [The youth] was also heard on the recorded telephone conversation telling [the man on the phone] that he was waiting for staff to recharge the external battery charger for him because the phone and charger were pretty much dead.

The OIG investigation revealed that BCJJC did not document the supervisor's findings and that the incident report filed by BCJJC regarding contraband did not have a witness statement from the supervisor. In addition, according to OIG investigators, "BCJJC staff also did not document the date that the iPhone was activated, nor the dates and text of the messages which they were able to view." BCJJC also did not document in the incident report that "GTL phone calls were reviewed nor indicate the information obtained from the recordings".

Youth also reported to the monitor feeling unsafe at the facility during the fourth quarter of 2021. There was a COVID-19 outbreak among staff and youth in December 2021 affecting staffing levels at all DJS facilities including BCJJC. Youth reported a noticeable reduction in staff in the building, especially on weekends, and that the situation made them uneasy.

### **Family engagement and Recreation**

Family visitation was prohibited at DJS facilities beginning in December 2021 as part of mitigation efforts set up to try and prevent the spread of COVID-19.

Extra opportunities for family contact were not provided to all youth to make up for the lack of visitation hours. Youth expressed boredom due to conditions of quarantine which limited movement and restricted activities and youth stated that extra time connecting with families could have improved their mental health. Even the minimal Department allotments for phone calls and video chats were not provided to youth during the inherently stressful holiday period due to case management staffing shortages. Administrators should ensure gaps in case

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<sup>3</sup> The Department has contracted with Global Tel Link (GTL), a prison communications corporation, to provide telephone services for youth. Calls made through the GTL system are automatically recorded.

management coverage are addressed so that youth receive uninterrupted services to stay in touch with loved ones.

Youth throughout the facility reported excessive downtime on weekends and youth on quarantine reported frequent boredom and restlessness from being confined to the unit without programming to keep them occupied. Administrators should collaborate with mental health clinicians, case management, recreation specialists, and direct-care staff to create a variety of structured activities aligned with youth interests that can help ease boredom, keep youth stable and reduce levels of anxiety.

## **Education**

The Maryland State Department of Education Juvenile Services Education System (MSDE JSES) operates the school at BCJJC.

A school climate that is conducive to learning should be prioritized at BCJJC and more time and effort should be devoted to academic instruction. Students were listening to music videos and watching YouTube videos during the school day in the fourth quarter instead of doing school work. The school environment is often chaotic with frequent interruptions.

There were several vacancies in the school at BCJJC during the fourth quarter of 2021, including for a math and science teacher. As a result of ongoing vacancies, teachers are sometimes required to teach courses in subjects in which they are not certified. Emphasis should be placed on filling school vacancies with certified instructional staff.

The school at BCJJC lacks a proper library and media center even though the facility has one of the largest average daily student population of all DJS detention centers. The following pictures taken during a monitoring visit illustrate the current status of the library space at BCJJC:



The Maryland State Department of Education (MSDE) has noted that “school library media programs are recognized as integral to student achievement because they provide all students and staff members with equal and timely access to ideas and information for personal and academic pursuits.”<sup>4</sup> In addition, “recent findings from studies carried out in diverse locations reinforce the critical need for a dedicated, quality school library program and library media center

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<sup>4</sup> Maryland State Department of Education, Library Media Center Facilities Guidelines Draft Revision (December 11, 2015), available at: [MSDE\\_draftfacilityguidelinesLMC\\_Dec2015.pdf \(pbworks.com\)](https://pbworks.com/files/MSDE_draftfacilityguidelinesLMC_Dec2015.pdf)

to foster academic achievement and successful delivery of content in both traditional and digital formats. In numerous studies it has been shown that there is a correlation between the strength of library media center programs with measurable differences in student academic achievement.”<sup>5</sup>

DJS and MSDE should collaborate to ensure a dedicated library and appropriate media services are available for student use.

School accountability measures should be implemented across the JSES system to ensure that students are receiving access to a quality education environment that is geared toward raising academic achievement. Resources and support should be provided for schools such the one inside BCJJC that are struggling in areas such as classroom management and student engagement in order to help foster positive academic outcomes.

For more information on education services in DJS facilities, see the section on MSDE JSES which begins on page 50.

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<sup>5</sup> Ibid.

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

The Charles H. Hickey, Jr., School (Hickey) in Baltimore County is a hardware secure (locked and fenced) detention center for boys. Hickey is owned and operated by the Department of Juvenile Services (DJS/the Department) and has a DJS-rated housing capacity of 72 beds. Black youth accounted for 76% of entries in calendar years 2021 and 2020.

Hickey – Selected Incident Categories	2019	2020	2021
<b>Average Daily Population (ADP)</b>	<b>54</b>	<b>36</b>	<b>37</b>
1. Youth on Youth Assault/Fight	171	106	80
2. Alleged Youth on Staff Assault	7	6	6
3. Physical Restraint	221	110	74
4. Use of Handcuffs and/or Shackles	23	10	6
5. Seclusion	39	13	11
6. Contraband	18	8	8
7. Suicide Ideation	31	11	8
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	1	1	2

The average daily population of youth increased by 1 (from 36 in 2020 to 37 in 2021) when comparing 2021 to 2020. However, youth on youth fights and assaults decreased by 25%, physical restraints of youth by staff decreased by 33%, use of mechanical restraints (handcuffs and/or leg irons) decreased by 40%, use of seclusion decreased by 15%, and instances of suicidal ideation decreased by 27% - when comparing the two time periods.

## Living Conditions and Provision of Basic Needs

During the fourth quarter of 2021, youth reported that their basic needs were not being met and that living conditions on units were poor. Youth reported concerns about the following:

- Apparel such as sweatshirts and shoes (Grievance 17181) were not replaced when torn and worn (see pictures below taken during a monitoring visit in the fourth quarter of 2021)



- Mice and bugs on a living unit
- Outdated washing machines which do not adequately clean clothes
- Hair in food (Grievance 17182)
- Dirt and dust on the units (see picture below of dusty heating vent taken on a living unit during a monitoring visit in the fourth quarter of 2021):



## **Case Management Services**

There were several vacancies for case management staff during the fourth quarter of 2021, and youth reported delays with receiving case management services. Vacancies should be filled without delay.

## **Mental health**

Mental health services at Hickey are provided by a private vendor. Hickey should have a full-time mental health director on site to coordinate care on a day-to-day basis and work with DJS administrators to ensure consistency in services for youth. In addition, each of the four units should have an assigned full-time mental health therapist on the unit to address youth mental health needs.

## **Recreation**

Excessive downtime is a long-standing problem across many DJS facilities including Hickey, but the issue has been exacerbated by COVID-19-related restrictions on physical activities and incentives. Watching movies and playing video games were two of the remaining outlets that youth had to pass time during the fourth quarter of 2021. Youth requested new movies to watch, additional time to play video games, and more gaming systems and controllers to allow more youth to play at one time.

## **Education**

There was an outbreak of COVID-19 across all DJS facilities beginning in December 2021. School personnel were removed from all facilities and education consisted of packet work on the units until mid-January of 2022, when virtual education was implemented. Students in quarantine and on new admission units continue to receive packet work to complete on their own.

Students reported that packets were not geared toward their grade level and the content often did not match with the classes in which they were enrolled. Handing out packets of worksheets is not an acceptable education plan for incarcerated students. All students should have access to in-person teacher instruction whenever possible and access to virtual education as a distant second best option.

For information on education in DJS facilities, see the MSDE JSES section of this report which begins on page 50.

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

The Thomas J.S. Waxter Children’s Center (Waxter) in Anne Arundel County is a hardware secure (locked and fenced) detention center for girls. Waxter is operated by the Department of Juvenile Services (DJS/the Department) with a DJS-rated housing capacity of 42 beds. Black girls represented 73% of entries during 2021 compared to 65% in 2020. Hispanic/Latina girls represented 5% of youth entries in 2021 versus 11% in 2020.

<b>Waxter – Selected Incident Categories</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
<b>Average Daily Population (ADP)</b>	<b>22</b>	<b>17</b>	<b>10</b>
1. Youth on Youth Assault/Fight	53	27	13
2. Alleged Youth on Staff Assault	32	14	8
3. Physical Restraint	162	72	65
4. Use of Handcuffs and/or Shackles	21	7	23
5. Seclusion	16	15	6
6. Contraband	5	4	5
7. Suicide Ideation	84	49	36
8. Suicide Attempt	1	5	1
9. Self-Injurious Behavior	2	4	8

The average daily population (ADP) at Waxter in 2021 decreased by 41% compared to 2020 while youth fights and assaults decreased by 52%, use of physical restraints within the facility decreased by 10%, instances of suicidal ideation decreased by 27% and use of seclusion decreased by 60%. There was one suicide attempt in 2021 compared to five attempts in 2020. However, use of use of mechanical restraints within the facility was high during the year and incidents of self-injurious behavior doubled.

## **Physical Plant**

The physical plant at Waxter, including school infrastructure, is in disrepair. Youth and staff were exposed to extreme temperature fluctuations, leaking ceilings, faulty plumbing, and cramped classrooms throughout the year.

The Department closed Waxter in March of 2022 and refurbished the Noyes secure detention center in Montgomery County to serve as an all-girls detention facility. Noyes is also an aged and space-challenged facility, but the physical plant is in slightly better condition in some respects than the wholly decrepit Waxter center.

## **Basic Care and Quality of Life Needs**

Administrators at Waxter made great efforts to provide for the basic needs for girls under their care. Name-brand hygiene products including specialized styling gels for textured hair and quality undergarments and supportive bras were provided to all girls. Girls also had access to arts and crafts, puzzles, MP3 players, video games, cosmetics, and time with the facility's therapy dog during free periods to help them stay constructively engaged.

DJS should ensure the same level of programming and services will be made available to girls at the Noyes facility. Additionally, the concentration by administrators on ensuring the availability and provision of constructive activities and appropriate basic services and products for youth that has become a hallmark of operations at the Waxter facility should not die with Waxter's demise, but should be extended throughout the DJS facility system. All the young people in DJS care and custody deserve this foundational level of attention to their needs.

## **Education Services**

The Maryland State Department of Education Juvenile Services Education System (MSDE JSES) operates the school at Waxter.

There was an outbreak of COVID-19 at Waxter beginning in December 2021. School personnel were removed from the facility and education-related services consisted of packet work distributed to youth on their living units by DJS line staff. This situation lasted until January 2022, when virtual education was implemented.

Handing out packets of worksheets is not an acceptable education plan for incarcerated students. All students should have access to in-person teacher instruction whenever possible and access to virtual education as a distant second best option.

Students on the new admission quarantine unit (which does not have internet access to facilitate virtual education) did have access to virtual education. Newly arrived girls were provided packets of worksheets to complete on their own during their quarantine period.

For information on education in DJS facilities, see the MSDE JSES section on page 50.

## Alfred D. Noyes Children's Center

The Alfred D. Noyes Children's Center, located in Montgomery County, is a Department of Juvenile Services (DJS/the Department) owned and operated maximum security detention center for boys and girls with a DJS-rated population capacity of 57. Black youth represented 67% of entries during calendar year 2021 compared to 63% in 2020. Hispanic/Latinx youth accounted for 13% of entries in 2021 compared to 21% in 2020.

<b>Noyes – Selected Incident Categories</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
<b>Average Daily Population (ADP)</b>	<b>30</b>	<b>19</b>	<b>11</b>
1. Youth on Youth Assault/Fight	74	41	14
2. Alleged Youth on Staff Assault	7	11	11
3. Physical Restraint	188	126	36
4. Use of Handcuffs and/or Shackles	29	39	9
5. Seclusion	4	7	4
6. Contraband	7	9	9
7. Suicide Ideation	14	22	16
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	1	36	16

Average daily population decreased by 42% during 2021 in comparison to 2020. Incidents involving youth on youth assaults and fights, physical restraints of youth by staff, use of mechanical restraints (handcuffs and/or leg irons), instances of suicidal ideation, use of seclusion, and incidents of self-injurious behavior all decreased substantially when comparing the two time periods.

Noyes was temporarily closed in early December 2021 and boys and girls housed at Noyes were moved to other DJS detention centers. DJS converted the facility to an all-girls

detention center, and girls who would have been housed at the all-girls Waxter detention center in Laurel (which has an aged and deteriorating physical plant) were moved to Noyes on March 1, 2022.

It is important to note that administrators at Waxter made great efforts to provide for the basic needs for girls under their care. Name-brand hygiene products including specialized styling gels for textured hair and quality undergarments and supportive bras were provided to all girls. Girls also had access to arts and crafts, puzzles, MP3 players, video games, cosmetics, and time with the facility's therapy dog during free periods.

DJS should ensure that the same level (if not a higher level) of programming, services, and gender-responsive care that is available to girls at Waxter will be made available to girls at the Noyes facility.

Additionally, the concentration by administrators on ensuring the availability and provision of constructive activities and appropriate basic services and products for youth that became a hallmark of operations at the Waxter facility should not die with Waxter's demise, but should be extended (not just to Noyes, but) throughout the DJS facility system. All the young people in DJS care and custody deserve this foundational level of attention to their needs.

Food services at Noyes are provided by an outside vendor, and there have been long-standing issues and complaints concerning both quality and quantity that have yet to be comprehensively addressed by DJS leadership.

### **Education Services**

The Maryland State Department of Education Juvenile Services Education System (MSDE JSES) operates the school at Noyes.

A partnership between MSDE JSES and the Montgomery County Public Schools (MCPS) which provides technological, infrastructure, and human resources to the school at Noyes has been extended until June 2022.

For further information on issues within the education system in DJS facilities see the MSDE JSES section of this report which begins on page 50.

### Lower Eastern Shore Children's Center

The Lower Eastern Shore Children's Center (LESCC) is a hardware secure detention center located in Salisbury. LESCC is owned and operated by the Maryland Department of Juvenile Services (DJS/the Department) and has a DJS-rated housing capacity of 18 boys and six girls. Black youth represented 79% of entries during calendar year 2021 versus 75% in calendar year 2020.

LESCC – Selected Incident Categories	2019	2020	2021
<b>Average Daily Population (ADP)</b>	<b>17</b>	<b>12</b>	<b>13</b>
1. Youth on Youth Assault/Fight	33	17	30
2. Alleged Youth on Staff Assault	1	2	5
3. Physical Restraint	66	79	69
4. Use of Handcuffs and/or Shackles	1	0	1
5. Seclusion	1	1	1
6. Contraband	7	6	7
7. Suicide Ideation	14	7	13
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	2	7	3

The average daily population at LESCC increased by 1 in calendar year 2021 when compared to 2020 while youth fights and assaults increased from 17 incidents in 2020 to 30 incidents in 2021 and incidents of suicide ideation almost doubled. However, physical restraints of youth by staff decreased by 13%. Use of mechanical restraints (handcuffs and/or leg irons) within the facility and seclusion were both used once in 2021.

An outbreak of COVID-19 occurred at LESCC during the fourth quarter of 2021 which resulted in multiple staff and youth infections. Activities were severely curtailed, family visitation

was prohibited and youth spent significant time on quarantine across all DJS facilities due to COVID-19-related restrictions. Youth at LESCC requested increased access to individual DVD players, greater variety of video and board games, more recreation time and more time to talk to family to help cope with the stressors and monotony of incarceration which are compounded by the current health crisis.

LESCC is the only detention center without a case manager supervisor (CMS) position. A CMS supervisor position should be added to help accommodate youth case management needs at the facility. LESCC also has no assistant superintendent position.

For information on education in DJS facilities, see the MSDE JSES section on page 50.

## Western Maryland Children's Center

Western Maryland Children's Center (WMCC), located in Washington County, is a 24-bed maximum security detention center for boys owned and operated by the Maryland Department of Juvenile Services (DJS/the Department). Black youth represented 65% of total youth entries in 2021 compared to 53% of total entries in 2020. Hispanic/Latino youth accounted for 6% of total entries during calendar year 2021, a decrease of 7% compared to 2020.

<b>WMCC – Selected Incident Categories</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
<b>Average Daily Population (ADP)</b>	<b>19</b>	<b>16</b>	<b>11</b>
1. Youth on Youth Assault/Fight	51	35	25
2. Alleged Youth on Staff Assault	1	1	3
3. Physical Restraint	109	57	76
4. Use of Handcuffs and/or Shackles	24	6	14
5. Seclusion	4	1	5
6. Contraband	5	5	1
7. Suicide Ideation	15	4	0
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	0	0

The average daily population decreased by 31% in 2021 compared to 2020 while youth fights and assaults decreased by 29%. However, physical restraints of youth by staff increased by 33%, use of mechanical restraints (handcuffs and/or leg irons) within the facility more than doubled and incidents of seclusion substantially increased when comparing 2021 to 2020.

There was a sizeable uptick in physical and mechanical restraints at WMCC during the fourth quarter of 2021 compared to the quarter that immediately preceded it (the third quarter) as shown in the chart below. While the average daily population did increase somewhat (by 33%) in the fourth quarter of 2021 compared to the third fourth quarter of 2021, physical restraints of

youth by staff more than tripled, and incidents involving suicide ideation and self-injurious behavior also increased when comparing the same periods.

<b>WMCC – Selected Incident Categories</b>	<b>Q3 2021</b>	<b>Q4 2021</b>
<b>Average Daily Population (ADP)</b>	<b>9</b>	<b>12</b>
1. Youth on Youth Assault/Fight	6	6
2. Alleged Youth on Staff Assault	1	1
3. Physical Restraint	10	34
4. Use of Handcuffs and/or Shackles	1	7
5. Seclusion	2	3
7. Suicide Ideation	0	3
9. Self-Injurious Behavior	0	2

Beginning in December of 2021, an outbreak of COVID-19 occurred across DJS facilities and activities were severely curtailed, family visitation was prohibited, and youth spent significant time on quarantine in all DJS facilities, including WMCC.

Due to the COVID-19 outbreak, youth from outside the usual facility population catchment area were diverted to WMCC because of admission restrictions at other DJS detention centers during the fourth quarter of 2021. Two of the three units at WMCC were converted to quarantine units to accommodate the new admissions and this inevitably increased youth exposure to COVID-19 from staff. Community case workers were brought in to assist with staffing shortages inside the facility which occurred throughout the outbreak.

Popular incentives such as a “meal of the week” initiative in which youth who maintained positive behavior throughout the week earned an outside fast food meal were discontinued, per orders from DJS Headquarters.

Administrators at DJS Headquarters should work with facility staff to ensure appropriate activities and incentives are available at all times for incarcerated youth so as to help keep youth constructively engaged (and therefore less likely to suffer extreme boredom or act out). Most importantly, meaningful incentives to reward youth for positive behavior and resiliency during this difficult time can also help improve youth mental and behavioral health.

A recent vacancy for a case manager position should be filled without delay to help accommodate case management service needs.

The Maryland State Department of Education Juvenile Services Education System (MSDE JSES) is responsible for education services in DJS facilities, including WMCC.

School operations across all DJS facilities were disrupted due to the COVID-10 outbreak. Most youth at WMCC were on quarantine throughout the outbreak and were given packets of worksheets to complete on their own. School personnel were prohibited from entering DJS facilities and youth not on quarantine attended virtual school beginning in January 2022.

For more information on education in DJS facilities, see the MSDE JSES section of this report which begins on page 50.

# COMMITTED PLACEMENT CENTERS

## Victor Cullen Center

The Victor Cullen Center (Cullen), in Frederick County, is a hardware secure (locked and fenced) committed placement center owned and operated by the Maryland Department of Juvenile Services (DJS/the Department). The DJS-rated housing capacity is 48 boys. Black youth represented 66% of total entries in 2021 compared to 75% of total entries in 2020. Hispanic/Latino youth accounted for 12% of total entries in 2021 compared to 8% in 2020.

<b>Victor Cullen – Selected Incident Categories</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
<b>Average Daily Population (ADP)</b>	<b>22</b>	<b>13</b>	<b>12</b>
1. Youth on Youth Assault/Fight	62	24	15
2. Alleged Youth on Staff Assault	22	16	5
3. Physical Restraint	129	86	47
4. Use of Handcuffs and/or Shackles	85	49	30
5. Seclusion	14	23	7
6. Contraband	15	12	1
7. Suicide Ideation	8	0	3
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	3	1	4

## Population

The average daily population (ADP) at Victor Cullen in 2021 decreased by 1 compared to 2020 while youth fights and assaults decreased by 38%, use of physical restraints decreased by 45%, use of mechanical restraints (handcuffs and/or leg irons) inside the facility decreased by 39%, and use of seclusion decreased by 70% in 2021 compared to 2020. However, there

was an uptick of suicide ideation and self-injurious behavior when comparing the two time periods.

### **Treatment**

Cullen houses kids at the deepest end of the juvenile justice system who often present with significant behavioral, mental health, and trauma-related needs. However, long-standing difficulty with the recruitment and retention of mental health clinicians has impeded the ability of the facility to adequately address these needs. During the fourth quarter, there was an opening for a mental health supervisor and a mental health clinician. These positions should be filled without delay by individuals who have experience in meeting the treatment needs of youth of color from urban environments who constitute the majority of the youth population at Cullen.

Positive staff/youth relationships are the backbone of any successful treatment program. The current compliance-oriented behavior management system creates adversarial relationships between youth and staff and should be replaced with an evidenced-based, trauma-informed treatment model that is individualized to each youth's needs and strengths. An effective treatment component to programming and services can help foster short- and long-term positive outcomes for youth.

### **Recreation**

Youth reported that activities posted on the recreation schedule are not followed consistently and that basketballs provided for recreation were of insufficient quantity, were worn down and lacked grip. Youth also expressed wanting more structured programming to help ease boredom. Downtime was especially prevalent during weekends.

### **Education**

The Maryland State Department of Education Juvenile Services Education System (MSDE JSES) is responsible for education services in DJS facilities, including Victor Cullen.

Emphasis should be placed on improving the school climate at Cullen. Youth report that some teachers use the threat of point loss (which can lead to extended length of stays based on the Department's behavior management system) to harass and agitate them. The monitor also observed two teachers using profanity directed toward students. The observations were reported to the school principal.

School operations across all DJS facilities were disrupted during the fourth quarter of 2021 due to a widespread COVID-19 outbreak. School personnel were prohibited from entering DJS facilities and students were provided packets to complete on their own. Virtual instruction began in January 2022, however students on quarantine and medical isolation continued to receive packets of worksheets to complete on their own due to lack of internet access on living units. Spanish-speaking youth requested on multiple occasions for packets in Spanish so they could understand and complete school work. Packet work is not an acceptable education plan and virtual access to instruction is a distant second best to in-person teaching. All students at Cullen and in all other DJS facilities should have access to in-person teacher instruction.

High school graduates at Cullen have limited options for post-secondary education. Youth may enroll in online community college courses if their time in placement aligns with the beginning of an academic semester. However, during times when youth have been exposed to COVID-19 and placed in quarantine (or when school is out for teacher professional development or school holidays), course work is often disrupted because youth are stuck on living units and are not able to access a computer and internet connection to virtually attend college classes and complete assignments. Tutoring services and academic assistance are also rarely available for students enrolled in college courses.

High school graduates housed at Cullen throughout the year have passed school time on living units watching TV; using the game room; or performing odd jobs around the facility in exchange for extra food or extra family contact.

There are no opportunities for youth to take part in long-term career and technical education courses or in practical, hands-on job readiness programs that lead to sustainable employment in the community. A modest DJS initiative called World of Work was popular among young high school graduates. Youth were able to earn minimum wage which could be put toward restitution and post-release living costs for performing odd jobs around the facility. The initiative has been permanently discontinued. Access to a robust array of job training resources leading to meaningful employment in the community should be made available at all DJS placement sites, including Cullen.<sup>6</sup>

For more information on education in DJS facilities, see the MSDE JSES section of this report which begins on page 50.

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<sup>6</sup> See “Why Employment Matters”, (October 2014), Justice Policy Institute, available at: [Why Youth Employment Matters — Justice Policy Institute](#). See also On Track: How Well are States Preparing Youth in the Juvenile Justice System for Employment? (September 2019) The Council of State Governments Justice Center and the National Reentry Resource Center Juvenile Justice Monitoring Unit, Fourth Quarter Report and 2021 Annual Review 39

**Garrett Children’s Center (formerly Savage Mountain Youth Center)**

The Garrett Children’s Center (GCC), located in rural Garrett County, is a Department of Juvenile Services (DJS/the Department) owned and operated hardware secure (locked and fenced) committed placement center for boys with a DJS-rated capacity of 24.

Savage Mountain	2019	2020	2021
<b>Average Daily Population (ADP)</b>	<b>7</b>	<b>4</b>	<b>N/A</b>
1. Youth on Youth Assault/Fight	9	6	N/A
2. Alleged Youth on Staff Assault	2	8	N/A
3. Physical Restraint	62	43	N/A
4. Use of Handcuffs and/or Shackles	24	21	N/A
5. Seclusion	0	1	N/A
6. Contraband	4	8	N/A
7. Suicide Ideation	7	2	N/A
8. Suicide Attempt	0	0	N/A
9. Self-Injurious Behavior	0	0	N/A

There were no youth placed at GCC in 2021.

Over five million dollars was expended for fencing and other security apparatus to convert GCC from a staff secure (not fenced and locked) facility to a maximum security institution for youth. Physical plant construction and renovations are ongoing. Instead of continuing to expend public funds in prison-like facilities located far from youth families and communities, the Department should close GCC and invest in community-based initiatives. According to juvenile justice experts, “extensive research reveals that secure youth incarceration increases the likelihood of recidivism and harms educational attainment, lifetime wages, and future health

outcomes for youth. Additionally, carceral settings have proven to be a primary vector for the spread of the COVID-19 virus”<sup>7</sup> as continued outbreaks of COVID-19 within DJS facilities demonstrate. In contrast, community-based programs cost less, engage families and communities more, enhance public safety and produce better youth outcomes.<sup>8</sup>

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<sup>7</sup> Justice Policy Institute (July 2020), Sticker Shock 2020: The Cost of Youth Incarceration (page 1), available at: [Sticker\\_Shock\\_2020.pdf \(justicepolicy.org\)](https://www.justicepolicy.org/wp-content/uploads/2020/07/Sticker-Shock-2020.pdf)

<sup>8</sup> Ibid.

## Youth Centers x2

The youth centers, located in remote western Maryland, consist of two separate staff secure (not fenced and locked) facilities for boys. Both centers are owned and operated by the Maryland Department of Juvenile Services (DJS/the Department). The facilities are Green Ridge (40 beds) and Backbone Mountain (48 beds). Black youth represented 77% of total youth entries in 2021 compared to 64% of total youth entries in 2020. Hispanic/Latino youth represented 5% of total youth entries in 2021 compared to 10% in 2020.

<b>Combined Youth Centers (x2) – Selected Incident Categories</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
<b>Average Daily Population (ADP)</b>	<b>82</b>	<b>36</b>	<b>27</b>
1. Youth on Youth Assault/Fight	182	59	26
2. Alleged Youth on Staff Assault	47	18	14
3. Physical Restraint	497	176	174
4. Use of Handcuffs and/or Shackles	64	45	40
5. Seclusion	0	0	0
6. Contraband	34	38	11
7. Suicide Ideation	51	19	4
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	10	0	1

The average daily population at the youth centers decreased by 25% in 2021 compared to 2020. Youth on youth fights and assaults, alleged youth on staff assaults, physical restraints of youth by staff, use of mechanical restraints (handcuffs and/or leg irons) inside facilities and instances of suicide ideation also decreased.

An outbreak of COVID-19 occurred at the youth centers beginning in the fourth quarter of 2021 which resulted in multiple staff and youth infections. Many COVID-19 positive youth were sent to hardware secure (locked and fenced) detention and placement centers where they were held in cells during their medical isolation. Activities were severely curtailed, family visitation was halted, and youth spent significant time on quarantine across all DJS facilities due to COVID-19-related restrictions. In addition, during the fourth quarter of 2021, administrators were informed that meaningful incentives such as outside food were discontinued which further limited staff options to motivate and reward youth for maintaining positive behavior.

Outdoor activities offer one of the less risky options for engaging youth during the pandemic. While the DJS youth center placements in rural western Maryland were ostensibly created to offer outdoor experiential learning opportunities for young people, in practice, access to the use of the natural surroundings for therapeutic or recreational purposes has always been strictly limited. The Department should facilitate more outdoor enrichment and recreation activities in the nature preserves, parks, and trails near the two youth centers and provide youth recreation equipment (such as mountain bikes) and apparel (such as appropriate hiking shoes and quality winter clothing) to properly equip them to enjoy healthy activities in the area.

There is no on-site recreation specialist at Green Ridge facility to organize activities on a daily basis throughout 2021. However, at time of writing (early 2022), there are three recreation specialists at the Backbone Mountain center. The Department should re-assign one of these recreation specialist to the Green Ridge facility to help with programming.

School services were severely disrupted during the recent COVID-19 outbreak across all DJS facilities which began during the fourth quarter of 2021. In-person school services at all facilities were abruptly stopped, teachers were banned from facilities, and students were initially provided with packets to do their own. Unassisted packet work is not an adequate substitute for professionally led instruction by qualified education personnel.

Education services shifted to virtual format in the beginning of 2022. While an advance on packets, virtual is a distant second best to in-person teaching. Many students at the youth centers report being bored and unengaged during the school day and express a preference for in-person instruction.

For more information on education in DJS facilities, see the MSDE JSES section of this report which begins on page 50.

## Silver Oak Academy

Silver Oak Academy (SOA/Silver Oak), located in Carroll County, is a privately-operated staff secure (not locked and fenced) committed placement center licensed by the Department of Juvenile Services (DJS/the Department) to house up to 96 boys. Black youth represented 83% of entries to SOA through DJS during 2021 and 89% of entries in 2020.

SOA – Selected Incident Categories	2019	2020	2021
<b>Average Daily Population (ADP)</b>	<b>29</b>	<b>33<sup>9</sup></b>	<b>14</b>
1. Youth on Youth Assault/Fight	41	28	51
2. Alleged Youth on Staff Assault	13	5	8
3. Physical Restraint	64	30	38
4. Use of Handcuffs and/or Shackles	0	0	0
5. Seclusion	0	0	0
6. Contraband	11	8	9
7. Suicide Ideation	0	0	1
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	1	1

Average daily population of youth at Silver Oak decreased by 58% in 2021 compared to 2022. There were 51 youth on youth assaults and fights, eight alleged youth on staff assaults,

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<sup>9</sup> There were no young people placed at Silver Oak through DJS in the third and fourth quarters of 2020. The average daily population in 2020 and incident numbers were derived from youth placed at Silver Oak through DJS during the first and second quarters of 2020.

and 38 physical restraints of youth by staff during the year. Silver Oak does not use mechanical restraints or seclusion.

Silver Oak continues to offer youth a robust high school and career and technical education curriculum with opportunities for community employment. Students benefited from in-person instruction throughout the year. However, direct-care staffers could benefit from more comprehensive training on de-escalation, and security related issues continue to impact facility climate as the following incidents indicate:

In Incident 168869, staffers restrained a passive youth who was allegedly not following staff directives. Video review of the incident shows that two staffers cornered a youth in the school hallway after the youth refused to go to class. One staffer without a mask on stood face to face with the youth while another staffer stood nearby the youth. The staffers looked clearly agitated while the youth appeared to stand calmly with his hands in his pockets. The youth walked away from the staffers after some time and the staffers restrained him, brought him to the floor and kept him in a seated restraint despite the youth appearing compliant on video.

In Incident 169122, a staffer was observed pushing a youth a couple of times causing the youth to stumble backward after the youth verbally confronted the staffer.

In Incidents 169304 and 169301, vape and dap pens were confiscated at the facility. One staff admitted to bringing in vape pens and giving them to youth (Incident 169216). The staffer no longer works at Silver Oak. Another staffer was investigated after a youth reported to administration that the staffer brought in dap pens for youth use (Incident 169306).

The Department should work with Silver Oak to ensure staff training issues have been comprehensively and permanently addressed.

## Mountain View

Mountain View is a staff secure committed placement center for girls that opened in June 2020. The facility is located in remote western Maryland and consists of a single structure housing a living unit (upstairs) and school room (downstairs) on the grounds of Backbone Mountain Youth Center for boys. The dormitory style living unit houses up to six girls. Mountain View is owned and operated by the Maryland Department of Juvenile Services (DJS/the Department). Black girls represented 53% of total youth entries in 2021 while Hispanic/Latina girls represented 13%. In 2020, Black girls and Hispanic/Latina girls each represented 33% of the total number of youth entries.

Mountain View – Selected Incident Categories	2019	2020 <sup>10</sup>	2021
<b>Average Daily Population (ADP)</b>		<b>4</b>	<b>4</b>
1. Youth on Youth Assault/Fight		1	2
2. Alleged Youth on Staff Assault		0	0
3. Physical Restraint		13	18
4. Use of Handcuffs and/or Shackles		5	4
5. Seclusion		0	0
6. Contraband		0	1
7. Suicide Ideation		1	11
8. Suicide Attempt		0	0
9. Self-Injurious Behavior		1	2

The average daily population (ADP) at Mountain View during 2020 and 2021 was four girls. There were 18 incidents of physical restraints, four incidents involving use of mechanical

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<sup>10</sup> Incident numbers for 2020 were tallied from June 2020 (when the facility opened) to December 2020.

restraints (handcuffs and/or leg irons) inside the facility, and 11 incidents of suicide ideation in 2021.

Mountain View has yet to establish a therapeutic culture since opening in June of 2020. Lack of staff professionalism, cultural sensitivity and boundaries are ongoing issues at the facility. Girls reported that some staff frequently use profanity, talk about personal matters, and gossip about other staff in front of the girls which makes them uncomfortable. One staff repeatedly referred to herself as a “redneck” in front of two (Black) girls at the facility and another staffer called one of the girls “miserable” on multiple occasions during the fourth quarter of 2021. During a monitoring visit in the fourth quarter of 2021, one girl expressed that in detention she “could really talk with the staff but at Mountain View [we] can't have real conversations and staff are quick to want to take points about just about anything.”

The superintendent at Mountain View retired during the third quarter of 2021 and a permanent replacement has not been hired. If the Department is to continue sending girls into DJS placements, it is essential that an effective leader capable of building positive relationships with both girls and staff and establishing a strong treatment environment be hired.

There was an outbreak of COVID-19 at Mountain View that began in mid-December. Two girls placed at Mountain View in December 2021 were nearing the end of their time in placement and were released home. At time of writing (February 5, 2022) there are no girls placed at the facility.

For an overview of education in DJS facilities, see the MSDE JSES section of this report which begins on page 50.

# **SMALLER FACILITY UPDATES**

## **SMALLER FACILITY UPDATES**

### **Morning Star Youth Academy**

Morning Star Youth Academy is a staff secure (not locked or fenced) committed placement center on Maryland's eastern shore. The facility is operated by Vision Quest, Inc., and is licensed by DJS to house up to 24 youth. During 2021, the facility began accepting girls into the program.

Morning Star utilizes the trauma-informed Sanctuary model. Therapeutic services are provided onsite and treatment services are supplemented by clinicians from community mental health organizations. Youth at Morningstar occasionally participate in volunteer and recreation activities in the community.

There was a COVID-19 outbreak at Morning Star which began toward the end of the fourth quarter of 2021 and several youth and staff tested positive for the virus.

Supervision issues at Morningstar continued in the fourth quarter of 2021. A boy and a girl were able to avoid staff visual supervision and shared a kiss out of camera view while on campus (Incident 168908). Staff also did not detect that the same girl brought a personal cell phone to the facility. She later used the cell phone to call a man who picked up both her and another girl placed at Morningstar in the middle of the night. Staff alerted local police who were able to stop the man's vehicle, and the girls were transported to a DJS detention center (Incident 169229). At time for writing (February of 2022), there are no girls placed at Morningstar.

### **One Love Group Home**

One Love Group Home (One Love) is an 8-bed group home in Baltimore City operated by Building Communities Today for Tomorrow, Inc. The home is licensed by and receives referrals from DJS. One Love provides community-based therapeutic, education, employment and enrichment opportunities for youth while they reside in a nurturing, home-like environment. Students are enrolled in local schools to work toward completing their high school diplomas. Most of the youth held community jobs during the fourth quarter of 2021. One Love staff schedule access to the local YMCA for recreation purposes and field trips to local sights of interest to keep young people engaged. Community-based programs like One Love offer a therapeutic alternative to youth incarceration in remote congregate correctional-type facilities.

Parents and guardians are able to visit and have frequent phone contact with their children while they are staying at One Love. During the COVID-19 pandemic, visitation has been held outside to help reduce the risk of disease transmission. After-care services are provided for youth completing the program to ensure continued success.

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

## THE MARYLAND STATE DEPARTMENT OF EDUCATION IN DJS FACILITIES

The Maryland Department of Education, Juvenile Services Education System (MSDE JSES) operates the school inside each of the Department of Juvenile Services' detention and placement facilities.

School services across all DJS facilities were severely disrupted due to a recent COVID-19 outbreak which began during the fourth quarter of 2021. In-person school services at facilities were abruptly stopped, education personnel were banned from facilities, and students were provided with packets to do their own. Unassisted packet work is not an adequate substitute for professionally led instruction by qualified education personnel.

Education services shifted to virtual format in the beginning of 2022, however many students on quarantine or in medical isolation do not have access to online classes since living units at many DJS facilities are not equipped with internet access. A return to more normalized school operations with in-person instruction is not scheduled to start up again until March 7, 2022.

Student academic engagement suffered immensely in DJS facilities during the months in which young people were denied access to in-person instruction. Both DJS and MSDE need to make education services for incarcerated youth a priority with emphasis on the following:

- Privileging in-person instruction and utilizing remote learning as a last resort and only when absolutely necessary. According to public health and education experts, “reduced access to in-person learning is associated with poorer learning outcomes and adverse mental health and behavioral effects in children.”<sup>11</sup>
- Using a facility-by-facility assessment to determine when education services should shift from in-person instruction to virtual instruction
- Discontinuing the use of worksheets as a substitute for instruction
- Equipping living units with internet access so that students on quarantine and medical isolation can access virtual education and online college courses

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<sup>11</sup> Oster E, Jack R, Halloran C, et al. Disparities in Learning Mode Access Among K-12 Students During the COVID-19 Pandemic by Race/Ethnicity, Geography, and Grade Level – United States, September 202 – April 2021. MMWR Morb. Mortal Wkly Rep 2021;70:953-958. DOI: <http://dx.doi.org/10.15585/mmwr.mm7026e2external icon>

- (Even during periods of virtual education) enabling some education personnel to be on site at each facility during the entire school day to provide academic assistance and help with logistics in operating the virtual education program. Teaching staff could work on a rotating basis or have limited working hours when they are in contact with youth to mitigate exposure to the virus. Any interaction or assistance from on-site educators during school hours would help school operations run more smoothly and productively

# **MARYLAND DEPARTMENT OF JUVENILE SERVICES – RESPONSE**



## **DJS RESPONSE TO THE COVID-19 PANDEMIC**

For a detailed description of the response by the Department of Juvenile Services (DJS) to the COVID-19 pandemic and its efforts to protect the safety and well-being of youth, staff and the community at-large, please see the “DJS COVID-19 Response” document found on the DJS website at

[https://djs.maryland.gov/Documents/COVID-19/DJS-Overview-COVID-19\\_08.21.2020.pdf](https://djs.maryland.gov/Documents/COVID-19/DJS-Overview-COVID-19_08.21.2020.pdf).

### **COVID-19 OUTBREAK IN DJS FACILITIES (DECEMBER 2021 – FEBRUARY 2022)**

DJS facilities experienced a surge in COVID-19 positive cases among staff and youth from December 2021 through February 2022. This surge coincided with the surge experienced in Maryland and the United States with the arrival of the Omicron variant of the COVID-19 virus.

From January 2021 to November 2021, an average of approximately 16 DJS facility staff tested positive for COVID-19 each month. In December 2021 alone, 184 DJS facility staff tested positive for COVID-19, which was more than an 11-fold increase over the monthly average for 2021. During the following months of January 2022 and February 2022, the number of DJS facility staff testing positive for COVID-19 was 146 and 23, respectively. Thus, DJS experienced more COVID-19 positive cases among DJS facility staff in December 2021 through February 2022 (353 positive cases) than in the previous 14 months combined (339 positive cases between November 2021 and September 2020).

Youth residing in DJS facilities also experienced higher than average COVID-19 positivity rates at the same time of the spike among DJS facility staff. In December 2021, 93 youth in DJS facilities tested positive for COVID-19 compared to 56 youth combined for the months of January 2021 to November 2021. January 2022 saw a decrease to 43 facility youth testing positive but that figure was still more than three times higher than the average positivity rate of 12 youth per month for 2021. Combining the 6 youth who tested positive in February 2022, the total number of facility youth testing positive for COVID-19 from December 2021 to February 2022 (142 youth) was more than what DJS had experienced for the entire duration of the COVID-19 pandemic in Maryland up to that point (95 positive youth cases between November 2021 and March 2020).

In short, the situation in DJS facilities Statewide from December 2021 through February 2022 was unprecedented. DJS has never experienced so many staff out on sick leave or unavailable in its facilities at any time during the current administration's tenure and, likely, in agency history. Even with the restrictive COVID-19 infection control measures in place, the highly contagious Omicron variant still swept through DJS facility staff and youth much in the same way that it impacted the general public both in Maryland and the United States. Nonetheless, preparations had been made prior to the identify DJS community staff who were certified by the Maryland Police and Correctional Training Commission (MPCTC) and, thus, could supplement staffing in DJS facilities should the need arise. Beginning in mid-2020, a list of select community staff was compiled and, by December 2021, 104 MPCTC-certified community staff were identified to serve as auxiliary resident advisors and ready to assist as needed.

Despite these long-term preparations, the Omicron variant soon overwhelmed both the regular DJS facility staff and community staff serving as auxiliary resident advisors who were called into action after the initial wave of positive cases. With over 180 staff testing positive for COVID-19 in December 2021 and the resulting extended time off for each staff to recover, staffing levels at DJS facilities were significantly strained.

Additionally, COVID-19 infection control measures that had been relaxed in the summer and fall of 2021 had to be reinstated to slow the rate of infection. Thus, Department's leadership implemented suspensions of in-person family visitation, in-person education and programming by outside vendors and volunteers. Additionally, with the significant increase in the number of positive cases among youth in DJS facilities in December 2021 and January 2022, the use of medical isolation for COVID-19 positive youth and quarantines for facility living units increased proportionally.

DJS acknowledges the impact these restrictions and disruptions had on the facility environment. Youth in DJS facilities in December 2021 through February 2022 experienced interruptions to family visits, education and daily programming punctuated with more frequent periods of quarantine and medical isolation. DJS is aware that those types of disruptions can create more stress and anxiety for youth in DJS facilities. For that reason, DJS behavioral health staff provided additional services to youth, particularly those youth in medical isolation due to COVID-19.

DJS would like to recognize all of the DJS facility and community staff who stepped up to provide support and supervision in DJS facilities throughout the Omicron outbreak. Even under the most challenging of circumstances, facility and community staff ensured that DJS facilities were able to navigate that challenging time as safely as possible. DJS facilities remained stable and safe despite the significant impact of the COVID-19 virus from December 2021 to February 2022. DJS is proud of the facility and community staff and senior leadership who took extra shifts in facilities in order to ensure that the operations could continue safely.

Similar to the trend in Maryland and the U.S., the Omicron outbreak in DJS facilities peaked in January 2022 and quickly declined. At the time of this writing, three facility staff and zero youth have tested positive for COVID-19 for the month of March 2022. Most staff who got COVID-19 have

fully recovered and staffing levels have stabilized. Additionally, many COVID-19 infection control measures have been relaxed and, as a result, normalcy is returning to DJS facilities. As detailed below, in-person family visitation, in-person education, programming from outside vendors and volunteers have been reinstated for the benefit of the youth residing in DJS facilities. Additionally, in accordance with guidance from the Centers for Disease Control, the number of days a youth is required to be in admission quarantine has been shortened from 14 days to 7 days provided the youth tests negative twice.

DJS will continue to monitor the health metrics both in the community and facility settings and make adjustments as needed for the safety and benefit of DJS staff, youth and families.

### **VACCINE REQUIREMENTS FOR DJS FACILITY STAFF**

On August 5, 2021, Governor Hogan announced that State employees who work in congregate care settings were required to receive their first dose of the COVID-19 vaccine by September 1, 2021. Coinciding with the Governor's announcement, the Maryland Department of Health (MDH) issued an Order that required that all employees in facilities operated by DJS show proof of their vaccine status by September 1, 2021 and any staff who fail to do so will be subject to weekly COVID-19 testing and required to wear appropriate Personal Protective Equipment.

While many staff in DJS facilities have already received their COVID-19 vaccine, DJS leadership will continue to work with facility administrators to implement the requirements of the Governor's Order. At the time of this writing, 64% of DJS facility staff are fully vaccinated. Additionally, 189 youth in DJS facilities have been vaccinated. Going forward, DJS will continue to monitor vaccination rates among DJS facility staff and stress the importance of the COVID-19 vaccine as the best available defense for youth and staff against the virus.

### **TOTAL COVID-19 CASES AMONG STAFF AND YOUTH AT DJS FACILITIES**

At the time of this writing, 237 youth in DJS custody have tested positive for COVID-19 since the start of the pandemic in March 2020, with all having fully recovered. Eight hundred eleven DJS staff have tested positive since the start of the pandemic with 792 having returned to work.

For updated testing information and other COVID-19 response information, please see the COVID-19 Response page on the DJS website, <https://djs.maryland.gov/Pages/COVID-19.aspx> or call the agency's COVID-19 24-hour hotline at 877-357-4161.

### **COVID-19 INFECTION CONTROL MEASURES**

DJS appreciates JJMU's acknowledgement of the Department's efforts to protect youth and staff during this pandemic. In March 2020, the Department began making significant changes to facility

procedures in anticipation of the arrival of the coronavirus to Maryland. These changes were made in consultation with the DJS Medical Director and Health Team, and based on national best practices. Infection control measures such as social distancing, universal masking, increased hygiene and sanitation, limiting facility entry to staff and approved vendors, creating intake admission units in juvenile detention facilities, and creating medical isolation units for youth who test positive for COVID-19 were implemented in an effort to keep youth and staff safe while maintaining the continued operation of the Department's secure facilities.

Additionally, DJS has implemented a pre-entry screening procedure consisting of a questionnaire and a temperature check. Every staff person or vendor seeking to enter a DJS facility must complete and sign a symptom questionnaire and submit to a temperature scan before entering. Any staff or vendor who indicates possible COVID-19 symptoms on the questionnaire and/or has a temperature over 100 degrees Fahrenheit is denied entry. Additionally, the DJS Medical Director and other medical staff are available in the event that any questions or concerns arise about admitting staff or vendors to DJS facilities. Through this rigorous process, DJS seeks to ensure that staff who are potentially sick are identified before possible exposure of youth or staff inside the facility.

The use of medical isolation for individuals testing positive for COVID-19 (or any other highly contagious virus) is a medical best practice and similar to what occurs in the community, whether in the home or in a hospital or other setting. Under normal circumstances, DJS policy restricts the use of "time out" periods for a youth to be away from the larger population in his/her room as a means of "cooling off." DJS recognizes that being in a room isolated from others is difficult for anyone. To alleviate the stress for the youth that have tested positive for COVID-19 and required to be medically isolated, DJS has provided handheld games and cell phones for youth to call family while they recover. Additionally, all youth in medical isolation and youth housed on quarantined units are assessed by a licensed medical professional daily and at frequent intervals as ordered by our medical director and team of physician and nurse practitioner staff. Given the highly infectious nature of COVID-19, our healthcare staff agreed that medical isolation is necessary to protect youth and staff in DJS facilities.

As part of its infection control measures, DJS provides Personal Protective Equipment (PPE) to all staff and youth in DJS facilities. DJS continues to procure PPE in sufficient quantities to ensure that all youth and staff in DJS facilities can be properly masked at all times.

## **FACILITY PROGRAMMING DURING THE PANDEMIC**

As of January 2022, youth and staff are highly encouraged to wear N95/KN95 masks for increased infection protection to maintain the decrease of COVID-19 cases in the facilities. Staff and youth will continue to wear the N95/KN95 masks while in congregate care settings, indoors and outdoors. When youth are playing contact sports, youth will be given a surgical mask to wear that can be discarded afterward.

As a result of the decrease in COVID-19 cases both in DJS facilities and the community, in February 2022 several items were reinstated such as off-grounds outings for the treatment programs to Reflections, outside volunteers and vendors resumed in person programming and leisure activities such as card and board games. Youth enrolled in college courses at Garrett College will resume in person attendance at the end of March 2022.

In March 2022, the Foster Grandparents Program resumed. Contact sports between different living units also resumed with appropriate infection control measures. DJS youth continue to participate in outdoor recreational activities as the weather permits.

The CHAMPS program continues to provide intellectual competitions such as the Black History Month Trivia Contest and recreational staff led programming. DJS facility staff continue to increase programming with planning art-based programming and competitions.

While the numbers of positive cases continue to decrease, youth who are on quarantine units or medical isolation units are permitted to play single player card games and may go outside with medical approval on a case-by-case basis. The youth on these units are also provided electronic devices to play games and ensure on-going communication with their families and attorneys.

At the time of this writing, 14 youth roundtables were held with the Deputy Secretary of Operations and his Executive Team to give youth a voice in the decision-making process to improve facility programming, operations, and facility culture. DJS has formed a youth committee, made up of youth from treatment programs who will be meeting weekly with Executive Leadership to provide input on several identified policy and procedures that are in the development stages. This is the first time youth have been able to review and provide input on DJS policies before the final versions are completed and approved.

## **FAMILY ENGAGEMENT**

As a result of the decrease in COVID-19 positive cases in DJS facilities and in the community, DJS reinstated full in-person visitation in February 2022. While maintaining DJS COVID-19 mitigation strategies such as a completion of a temperature screening, questionnaire upon entry, and social distancing, guidelines were updated to include providing N95 or KN95 masks to all family visitors.

At the height of the pandemic, visitation was limited to parents and guardians. DJS updated its policies to permit additional important individuals who play supportive roles in a youth's life such as grandparents, stepparents, coaches and mentors.

Within the first week of reinstating in-person visitation, 72 family members and/or significant others visited youth in DJS facilities.

The facilities will continue to provide a minimum of five calls per week to each youth including the video calls to help maintain and strengthen the bonds between youth and their families.

DJS will continue to monitor the data and trends in positive case rates in DJS facilities and make any adjustments necessary to keep youth and staff as safe as possible.

### **NAVIGATING THE NEW NORMAL**

DJS recognizes that the “new normal” in its facilities has required an adjustment on the part of staff and youth. From wearing masks to restrictions placed on activities and the use of quarantine and isolation when medically required, DJS acknowledges that these changes could produce anxiety among staff and youth. However, in these challenging times, the agency has witnessed facility staff rising to the occasion and youth demonstrating incredible resiliency and adaptability. DJS remains committed to keep facility staff and youth as safe as possible during this pandemic and to continue to find creative solutions to address programming challenges in the facility.

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**DEPARTMENT OF JUVENILE SERVICES  
RESPONSE TO JJMU 2021 FOURTH QUARTER REPORT AND 2021 ANNUAL REVIEW**

The Department of Juvenile Services (DJS) has reviewed the Juvenile Justice Monitoring Unit's (JJMU) 2021 Fourth Quarter Report and 2021 Annual Review, and provides the following response:

**DJS CONTINUES TO FOCUS ON COMMUNITY-BASED SOLUTIONS AS ALTERNATIVES TO SECURE PLACEMENTS**

Prior to the COVID-19 pandemic's arrival in Maryland in March 2020, DJS implemented standardized tools to measure risks and needs of youth and expanded community-based programs like evening reporting centers to reduce the use of confinement for justice-involved youth. The DJS response to the COVID-19 pandemic accelerated these and many other operational reforms. Furthermore, at the onset of the pandemic, an order was issued by former Chief Judge Mary Ellen Barbera that required Maryland juvenile courts to limit the use of juvenile detention and commitment unless it was necessary for public safety. That administrative order remains in effect today.

Today, DJS continues to work with its stakeholders to reduce the use of secure detention and commitment. These efforts include weekly reviews of all young people in committed placement and regular communication and collaboration with stakeholders. While it is reasonable to expect that the number of youth in secure detention and committed placement may rise in a post-pandemic world, DJS remains firmly committed to incorporating and bolstering community-based alternatives for youth and families in Maryland.

**DJS BEHAVIORAL HEALTH UNIT CONTINUES TO RECRUIT QUALIFIED PROFESSIONALS**

The Behavioral Health Unit has continued to actively recruit for vacancies during this period to include participating in job fairs and making adjustments to online postings for positions. Between June 2021 and October 2021, five behavioral health staff to include a supervisor at the Victor Cullen Center entered duty. Between November 2021 and January 2022, three additional behavioral health staff to include a Social Work Manager started with the Department. In March and April 2022, the Behavioral Health Unit is slated to welcome four more staff members who will fill positions at BCJJC, Cheltenham and the Youth Centers. Two applicants are in process for Victor Cullen and it is hoped they will be able to join the team there soon. Behavioral health services at Cheltenham, Hickey and BCJJC are provided via contractual agreement and the contractor is in the process of hiring for one vacancy. Recruitments for positions at the Youth Centers and Victor Cullen remain active and interviews are being held for a MAST team member at Cheltenham.

## **Committed Programs**

### Victor Cullen Center (VCC)

#### **Treatment**

The Behavioral Health Supervisor position was filled as of October 20, 2021 and two candidates have been identified to fill open mental health positions at VCC.

The treatment program at VCC focuses on behavioral health services matched to the individualized treatment needs of each youth. Youth receive individual and group counseling weekly as well as family counseling and psychiatric services as needed. The program provides evidence-informed services including the Seven Challenges program, Trauma Addictions Mental Health and Recovery for Youth (TAMAR-Y) curriculum, and Social Skills Training and Aggression Replacement Techniques (START) groups. In addition, Trauma Focused Cognitive Behavioral Therapy (TF-CBT) is provided to youth identified as in need of this service.

Behavioral health staff are integrated into all aspects of facility operations including regular participation in leadership meetings and maintaining a presence at the program. Behavioral health provides consultation and assistance to direct care supervisors and line staff regarding clinical issues and policy application. Additionally, all VCC staff have been trained in trauma informed care, which is a framework for helping staff understand how trauma affects youth behavior and applying trauma-sensitive strategies.

#### **Recreation**

VCC facility staff continue to receive suggestions for programming through youth who participate in Youth Advisory meetings. Every Thursday evening VCC has “Throwback Thursday Night” where an older movie is shown and snacks that were popular at the time of the movie are provided. VCC also has “Friday Night Movies” where new movies are shown.

All basketballs at the facility were replaced with new leather ones

### Garrett Children’s Center (GCC)

Operations at GCC were indefinitely suspended in late 2020 and, as such, no youth were in the facility during the fourth quarter of 2021.

### Youth Centers

Despite the removal of outside food as an incentive, many other items remain on the incentive list to motivate youth including other food items and hygiene supplies. Behavioral health staff

continued to provide onsite and offsite services via video to maintain continuity of care, which included individual and family therapy sessions.

With the improving weather, Green Ridge has held several activities outdoors to include Reflections trips, hiking, bike riding, and outdoor workouts. Green Ridge strives to get youth outdoors whenever possible and the addition of another pavilion has assisted efforts to hold more outside activities.

The recreation specialist assigned to Green Ridge has been on military leave. Green Ridge assigned the responsibilities of the recreation specialist to a residential advisor to ensure activities are conducted on a daily basis. A recreation specialist from Backbone Mountain Youth Center will provide support 2-3 times per week to assist in organizing activities and overseeing additional programming.

## Mountain View

Mountain View ceased operations in December 2021.

The treatment program at Mountain View established a therapeutic culture to include behavioral health services that match the individualized treatment needs of each youth. They received individual and group counseling weekly as well as family counseling and psychiatric services as needed. The program provided evidence-informed services including the Seven Challenges Program, Trauma Addictions Mental Health and Recovery for Youth (TAMAR-Y) curriculum, and Social Skills Training and Aggression Replacement Techniques (START) groups. In addition, Trauma Focused Cognitive Behavioral Therapy (TF-CBT) was provided to youth identified as in need of this service.

## **Detention Centers**

### Cheltenham Youth Detention Center (CYDC)

#### **Staff Supervision**

CYDC is working with the DJS Professional Training and Education Unit on safety and security retraining for all staff and administration. The training will cover topics such as staff posting, youth movement, youth and staff interactions, and leadership observations.

Facility administrators have been placed in coverage to monitor, train, and support staff development, and improve safety and security.

School staffing has been augmented by adding another Resident Advisor Lead for the hall monitor post so there will be a total of three assigned hall monitors. In addition, a Resident Advisor Supervisor will be posted as needed in the school for more oversight. A Group Life Manager has also

been assigned to supervise, monitor, train, and give direction to all staff while in the school environment.

Incidents 168753 and 168977 were altercations between two youth on the same unit while in school. Administrative review indicated that staff intervention was appropriate.

Incident 169466 was an altercation between two units in the school due to staff not following the supervision and movement policy. The staff member no longer works for DJS and all other staff will be re-trained.

Incident 169006 involved contraband being found during a search of the unit. The contraband was documented and reported in accordance with DJS policy.

### **Staff Morale and Conduct**

A Superintendent has been temporarily assigned to CYDC to manage the facility until CYDC's Superintendent is able to return. Staffing levels have improved since the COVID-19 outbreak in December 2021. DJS has prioritized recruitment for open positions at CYDC. Two new Group Life Managers were hired and began working in early March 2022.

DJS staff who were assigned to CYDC from the Alfred D. Noyes Children's Center already had significant experience working with youth in a juvenile facility. Training was sufficient given the level of experience and the staff from Noyes acclimated quickly to the facility culture.

To boost morale and improve operations, CYDC leadership has reinstated all-staff meetings to review concerns and provide additional training opportunities for direct-care staff. Daily end-of-shift check-in meetings have been implemented where administrative staff review daily operations, planning strategies, and review incidents for follow up improvement opportunities. The CYDC morale committee, which is led by Group Life Managers, has also been re-started.

The staff who did not provide assistance during Incident 169270 no longer works for DJS.

Administrative review of Incident 169018 found that the staff member did not respond appropriately. The staff was counseled and retrained on appropriate Crisis Prevention Management (CPM).

Regarding Incident 168885, the supervisor was counseled and participated in manager training. In response to Incident 169022, the staff was counseled and re-trained on proper CPM intervention techniques. Senior staff were also counseled on the importance of not participating in horseplay activities when on duty with youth and/or staff.

The staff member involved in Incident 169266 no longer works for DJS.

### **Behavioral Health**

Behavioral Health Service programming provided to youth includes individual, group, and family counseling. The modality of services is based upon the treatment needs and assessed risks of the youth. The Department's contracted behavioral health staff remain committed to creatively providing services in an attempt to mitigate the adverse impact of confinement upon the mental health of the youths. During this period, efforts included spending increased time talking with distressed youth to provide support with coping and/or holding group sessions on the unit to provide ongoing support and learning. Behavioral health staff provided activities and books to youth during periods of down time.

The incidents cited by the JJMU report involved one youth who was pending placement at a residential treatment center. Behavioral health staff interacted with this youth on a daily basis and worked with the youth on coping skills and medication stabilization. The youth was successfully placed in a residential treatment program on in mid-February 2022.

### **COVID-19 Infection Control Measures**

Related to Grievance 17292, COVID-19 positive youth housed in units are isolated in their rooms and never mixed with the other youth per medical orders. The showers are cleaned and sanitized daily after showers are complete in accordance with COVID-19 cleaning protocols.

### **Facility Programming**

The Noyes recreation staff assigned to CYDC provided plentiful and robust programming. Youth were engaged in multiple activities and facility-sponsored programming, such as weekly movie nights, unit of the week activities, ice cream socials, and board games on the units. Youth continue to receive large muscle activities outside and have access to new recreational equipment. Televisions have been repaired on the units with additional repairs scheduled for other equipment. Gym usage resumed for all youth once COVID-19 mitigation measures were relaxed in February 2022.

Related to Grievances 17278 and 17298, lock-in time for all youth was extended to 9:00 pm as of February 10, 2022.

### **Family Engagement**

As of February 28, 2022, in-person family visitation has resumed. Throughout the COVID-19 pandemic, youth were provided video calls weekly with family and extended phone calls. All youth received allotted calls through the phone system or with their case manager. Case managers also afforded extra phone calls to youth to help ease the stress of limited family contact.

## **Christmas Eve Incident**

With respect to Incident 169200, a significant staff shortage contributed to the major disturbance on Christmas Eve.<sup>12</sup> While the staff on duty that night along with facility leadership performed admirably under the extremely difficult circumstances, there simply was insufficient numbers of staff available in the facility to maintain control of the situation. DJS is grateful for the courage and poise exhibited by the CYDC staff that evening and the response from the Maryland State Police to assist in regaining control at the facility. In response to the Incident, the youth who were involved were transferred to another DJS facility.

Administrative review of Incidents 169023 and 169367 indicated that adequate staffing was available to escort non-compliant youth to their rooms when they refused to follow established COVID-19 protocols. Likewise, team intervention was used to secure the youth involved in Incident 169090 in his room.

## **Baltimore City Juvenile Justice Center (BCJJC)**

### **Safety and Security**

Regarding Incident 169176, the Baltimore City Fire Department was notified and investigated the incident. The contraband, sanitation, and inspection policies and procedures were reviewed with staff on all shifts during shift briefings. Facility staff met with the youth across units reinforcing the contraband policy and safety issues related to tampering with electrical fixtures. The lack of supervision leading up to the incident has been addressed in accordance with the DJS Standards of Conduct.

Following the OIG investigation of Incident 168638, random searches of staff members are being performed. Administration has added additional training to supervisors and shift commanders on the use of portable metal detectors. Incident reporting policies and procedures are being reviewed with all staff.

### **Family Engagement and Recreation**

Now that the number of COVID-19 positive cases among facility staff and youth are subsiding and most staff have returned to work, operations have stabilized. Youth are getting a minimum of five contacts per week in a combination of phone or video conferences. In-person family visitation has

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<sup>12</sup> Related to Incident 169200, the DJS OIG also investigated the failure of the video recording system at CYDC, which resulted in video of the Incident not being available. Working with the DJS Information Technology unit, it was determined that all of the video equipment (cameras, servers, etc.) were fully functional on the night of the incident with the exception of the video recording functions. This failure was the result of an automatic update that was sent out on December 23, 2021 that caused the recording software to fail to reboot. This issue was not discovered until facility administrators and DJS investigators unsuccessfully attempted to retrieve video of the Incident on the night of December 24. The Department's Information Technology unit has advised that the issue has been resolved and that video recording is now functioning properly at CYDC.

recently been reinstated. Behavioral health continues to provide services that include groups discussions, arts programming, and providing youth with books and other activities.

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

All physical plant deficiencies have been and continue to be immediately addressed by the administrative team and maintenance once identified.

Hickey's administration has implemented an incentive-based housekeeping program that is assessed daily and weekly. Each housing unit competes for "unit of the week" by participating in the housekeeping process with the goal of being the cleanest unit.

Youth are able to make verbal requests to replace clothing in disrepair at any time. Additionally, a form has been developed to give youth a means to submit a written request for administrators.

Washing machines are being transferred from Waxter to the Hickey facility and a pest control company has been hired to address any pest-related issues on the unit.

In response to Grievance 17182, the leadership of the DJS food and nutrition team is working with the facility food service staff to improve quality control inspections. This includes temperature, taste, and presentation to ensure youth receive a balanced and nutritious meal.

### **Case Management Services**

All case management vacancies have been filled.

### **Mental Health**

Hickey has a full-time supervisor on site who has been providing behavioral health services at the facility for over three years. DJS Behavioral Health meets regularly with the unit managers, administration, resident advisor staff, and case managers to collaborate on services provided to the youth on each unit. The behavioral health vendor currently has a staffing ratio of one behavioral health staff to every four youth and continues to ensure that all youth are offered and receive services, as needed.

### **Recreation**

The programming schedule has been enhanced with extra sessions of recreation, extra time in the reinforcement room, vision board activities, and individualized physical fitness activities.

### Thomas J.S. Waxter Childrens' Center (Waxter)

Waxter closed on March 1, 2022. All youth who resided at Waxter have successfully transitioned to the Alfred D. Noyes Children's Center.

DJS appreciates the JJMU's acknowledgement of the efforts of the Administrative team at Waxter (prior to its closure) to ensure that the girls residing at the facility had constructive activities and appropriate services and products.

### Alfred D. Noyes Children's Center (Noyes)

Alfred D. Noyes administrative team continues to focus on the positive and successful development of youth. The female youth have adjusted well to Noyes and have been engaged in many program activities. Requested hygiene items were purchased and distributed upon youths' arrival. Arts and crafts, games, MP3s, puzzles, and cosmetics are all made available. There have been no complaints or grievances.

A new therapy dog will be joining the Noyes staff in March 2022.

Regarding food service, two cooks from Waxter have joined the staff at Noyes. DJS is in the process of renovating the kitchen at Noyes in order to make it operational.

### Lower Eastern Shore Children's Center (LESCC)

The Case Manager Supervisor position is currently in recruitment with interviews of qualified applicants having recently been completed.

### Western Maryland Children's Center (WMCC)

Review of the DJS Incident Database indicates that there were no self-injurious behavior incidents for 2021.

The Challenge Program Special Event continued during this time with dietary staff preparing the food for youth instead of bringing in outside food. The youth were able to have pizza, ice cream, and other requested foods. Ordering of outside food has returned for the Special Event on the weekends. Youth who are in quarantine now have handheld games, MP3 players, and are able to play the gaming system from inside their rooms with wireless controllers. With the weather improving, they also are able to go outside for recreation activities.

WMCC has increased activities with positive programming by implementing the Pod of the Week, 99% Club, and continuation of the Special Event on weekends. Youth are able to purchase activities through the Challenge Program such as Movie Night and Game Night, which includes snacks. Recruitment continues for the case manager position with interviews of qualified applicants having recently been completed

## Private Programs

### Silver Oak Academy (SOA)

Pages 44 through 45

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1. “Direct-care staffers could benefit from more comprehensive training on de-escalation, and security related issues continue to impact facility climate”

**SOA Response:** SOA staff members have been provided with Safe Crisis Management training, which focuses on de-escalation. SOA administrators are reviewing restraints and utilizing video reviews with staff to aid with training. In March, staff will also be participating in weekly training that include specific roles and responsibilities during de-escalation episodes as well as during physical managements.

Staff have participated in ongoing interactive supervision training and SOA is utilizing senior staff to provide “on the job” training. SOA has increased staffing in the entry office to improve key control and had previously established vehicle security checks.

**DJS Response:** L&M has been working with Silver Oak to ensure that they are in compliance with their Safe Crisis Management (SCM) program and maintaining overall security for the campus. L&M has verified that staff are certified to use restraints. L&M has provided technical assistance to Silver Oak to ensure that they are using de-escalation techniques prior to using a restraint on a youth. L&M has been monitoring the program to ensure that they are maintaining a schedule for searches of the physical plant, following the program’s key control policy and locking of vehicles on the property.

2. “In Incident 168869, staffers restrained a passive youth who was allegedly not following staff directives. Video review of the incident shows that two staffers cornered a youth in the school hallway after the youth refused to go to class. One staffer without a mask on stood face to face with the youth while another staffer stood nearby the youth. The staffers looked clearly agitated while the youth appeared to stand calmly with his hands in his pockets. The youth walked away from the staffers after some time and the staffers restrained him, brought him to the floor and kept him in a seated restraint despite the youth appearing compliant on video. In Incident 169122, a staffer was observed pushing a youth a couple of times causing the youth to stumble backward after the youth verbally confronted the staffer.”

**SOA Response:** Incident 168869 represents an area for staff training. A student completely agitated other students and staff for by disrupting a class as he tore documents off the wall, and berated and elderly teacher in a threatening manner. Staff were able to get him out of the classroom before other students became engaged with him. When two veteran certified staff

members were unable to get the student to move out of the school area, they initiated physical intervention despite the student not presenting a clear danger to self or others. Both staff members were suspended for an extended period of time under the direction of DJS. The incident was referred to and screened out by Carroll County. When the staff members returned, they received documented disciplinary action and video review as well as policy training, followed by a restoration meeting with the student. Both staff members successfully returned to work and contributed to program operations.

In incident 169122, after about 15 minutes of re-direction and counseling attempts, the student moved into very close “face to face” proximity of a staff member. The staff member pushed the student away from himself (presumably to maintain his personal safety). The student moved up to the staff again before being pushed away and physically managed. The staff member was suspended for a day to provide for internal investigation and the case was referred to and screened out by Carroll County. While the staff member participated in debrief/training, his actions were viewed as defensive for self-protection, not as offensive toward the student. The student engaged in similar aggressive/intimidating actions with staff members on other occasions and was eventually discharged due to continued aggressive/assaultive actions toward staff and students.

**DJS Response:** In both cases, DJS (L&M and the Investigative Unit) conducted extensive follow up including an investigation. A review of incident (IR#168869) involving a staff member initiating a restraint on a youth who was not an immediate danger to self or others resulted in L&M requesting a Corrective Action Plan for violating COMAR requirements. Silver Oak provided the Department with an acceptable CAP. The Department has been reviewing video (when available) of restraints performed at the program and reviewing witness statements. This review is to ensure that a restraint is only used to ensure the safety of youth and staff.

In reference to IR#169122, the program determined that the staff member did not comply with the Safe Crisis Management curriculum. The case was referred to CPS but was screened out. The staff was suspended during that time. He received some additional training but resigned a couple of weeks following the incident.

3. “In Incidents 169304 and 169301, vape and dap pens were confiscated at the facility. One staff admitted to bringing in vape pens and giving them to youth (Incident 169216). The staffer no longer works at Silver Oak. Another staffer was investigated after a youth reported to administration that the staffer brought in dap pens for youth use (Incident 169306).”

**SOA Response:** SOA operates as an unlocked group home with students engaged in home passes, off site work experiences and routine community interaction. While “pat” and property searches are conducted, the opportunity for contraband exists but the risk associated with contraband possession is balanced with the benefits of full programming. Staff are conscience of possible contraband and will continue to conduct routine facility searches; however, there are no plans to move from “pat searches” to more invasive searches due to the non-secure designation of the

program. Staff will continue to conduct room and facility searches and will initiate periodic searches of outdoor areas around the administration building to deter contraband being hidden in bushes prior to pat searches.

One staff member admitted to bringing vape pens to students and his employment was terminated (Incident 169216). Following his termination, students indicated that another staff member had provided them with dab pens. The incident was reported and investigated externally as well as internally with no findings. The staff member resigned two weeks after the incident.

Both incidents involved new staff members, who may have been intimidated by the students and allowed themselves to be manipulated. These staff members did not adhere to the boundary training provided through ROP or to RCYCP training. SOA is working with Supervisory staff to further support training through enhanced supervision and “on the job” guidance of newer staff members.

**DJS Response:** L&M is working with the program in reference to campus searches. The program’s ROP policy stipulates that the Cottages, General, and Education areas should be searched 2 x monthly. While completing monitoring visits of the program, L&M has found documentation of those searches in a binder that was reviewed on site. L&M will continue to work with Silver Oak to ensure that the searches are occurring and that they are being documented.

## [VisionQuest Morning Star \(VQMS\)](#)

### Page 49

1. “There was a COVID-19 outbreak at Morning Star which began toward the end of the fourth quarter of 2021 and several youth and staff tested positive for the virus. Supervision issues at Morningstar continued in the fourth quarter of 2021.”

**VQMS Response:** Morning Star Youth Academy has a COVID-19 protocol that has been reviewed and approved on a regular basis by the local Health Department and DJS Medical Director. Every newly admitted youth who has not tested positive for COVID-19 within 90 days of placement at Morning Star, is quarantined for a minimum of seven (7) days. Each youth must have a negative COVID-19 test prior to their admittance and is again tested at the program on their fifth day of quarantine. All staff and youth are required to wear masks in all common areas of the program. All youth and staff who tested positive for COVID-19 during the outbreak were quarantined for the required amount of time. All off property trips, appointments and on site visits were postponed. The program was in constant communication with the local health department and once two weeks of negative tests were received, the program came out of outbreak status.

**DJS Response:** VQMS is in compliance with the program’s COVID-19 protocol. L&M will continue to monitor to ensure that VQMS is in compliance with COMAR 14.31.06, the local Health Department’s guidelines, and VQMS’ policies as it relates COVID 19 pandemic.

2. "Supervision issues at Morning Star continued in the fourth quarter of 2021. A boy and a girl were able to avoid staff visual supervision and shared a kiss out of camera view while on campus (Incident 168908). Staff also did not detect that the same girl brought a personal cell phone to the facility. She later used the cell phone to call a man who picked up both her and another girl placed at Morningstar in the middle of the night. Staff alerted local police who were able to stop the man's vehicle, and the girls were transported to a DJS detention center (Incident 169229). At time for writing (February of 2022), there are no girls placed at Morningstar."

**VQMS Response:** The program recognizes there was a small gap in supervision, which led to the situation of the young man and young lady engaging in a brief kiss. . Although there were staff spread out strategically around the perimeter where youth were riding to include a staff on a bike, there was a blind spot which was not recognized at the time. Going forward any such physical activity will be conducted in a gender specific way, conducting groups separately unless it is a campus wide event that includes ALL staff supervision.

All weekly activities will be reviewed the week prior during the Continuous Quality Improvement (CQI) Meeting. During the CQI review the type of activity will be reviewed, the location, number of youth in the activity, gender activity may be geared towards and number of staff. Will also review for any issues that occurred during the activity. When activities are being conducted that reach past the highly visible areas, the route will be modified and/or an additional staff will be placed in the gap in order to keep continuity of supervision. The program will also take into account the number of youth participating at one time to ensure adequate staffing during the activity.

In regard to the cell phone incident, all youth are searched upon their return from a therapeutic home visit or on site visit. Following the Christmas home pass, the indicated youth and all other youth that were off property on Christmas passes were individually searched by same gender staff in the welcome center. Items, such as clothing, shoes or jackets, if they were brought back with youth were taken and sent home with the family or searched and locked away until they earned the privilege to have those items( such as personal tennis shoes, personal jackets or personal khakis). The indicated youth did not bring any items back with her. Nothing was recovered when she returned from her Christmas home pass and she had not received any onsite visits during this time. As a response to the incident, the program has expanded the search areas to include the welcome center bathrooms, program driveway and parking lot to ensure no items are hidden or left behind. The program also conducts regular searches of the living units and all common areas.

**DJS Responses:** Incident # 168908 follow up was conducted by L&M. L&M found that VQMS provided inadequate supervision of youth. VQMS inadequate supervision allowed for a resident from the female unit and a resident from the male unit to interact unsupervised by VQMS' staff. VQMS was required to submit a Corrective Action Plan.

Incident # 169229 follow up was conducted by L&M. L&M provided technical assistance regarding VQMS' staff following the absconding youth out of the unit without her radio and without first notifying the shift supervisor. L&M requested staff receive additional training in regards to

absconding youth. Technical assistance was also provided to address on site contraband. L&M will continue to monitor to ensure that VQMS is in compliance with COMAR 14.31.06, and VQMS' policies and procedures as it relates to youth supervision and safety and security.

**MARYLAND STATE  
DEPARTMENT OF EDUCATION  
- RESPONSE**



**Mohammed Choudhury**  
State Superintendent of Schools

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March 18, 2022

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

The Maryland State Department of Education (MSDE) has reviewed the Juvenile Justice Monitoring Unit's (JJMU) 2022 fourth quarter report in relation to the provision of educational services within the Department of Juvenile Services' (DJS) residential facilities.

### **Maryland State Department of Education in DJS Facilities**

#### **COVID-19 RESPONSE**

During the 2021-2022 school year, teachers were in the buildings and classrooms five days a week until December 16. On December 17, due to rising COVID numbers, the DJS closed all school facilities to non-essential MSDE personnel. COVID-19 outbreaks had increased across all DJS facilities. JSES responded immediately by providing instructional materials to students for every day that teachers could not provide in person instruction. JSES teachers and principals immediately began making calls to housing units to address questions or concerns from students and DJS staff. Additionally, teachers retrieved Chromebooks and instructional materials from their school in preparation to provide synchronous instruction using Chromebooks and began setting up google classrooms and google meeting links.

All DJS superintendents were provided schedules with google links for each classroom and the lists of students who were enrolled in each class. JSES staff also ensured that Chromebooks were available for all students prior to beginning instruction when they could no longer enter the facilities. Synchronous instruction was provided via google classrooms within each facility by the first day of school after the holiday break on January 4. Teachers provided direct, synchronous instruction that was aligned to every Maryland State Standard. Additionally, courses in English, mathematics, science, social studies, and Career and Technical Education (CTE) were held for at least 70 minutes each day.

During synchronous online instruction, teachers engaged students in learning using Google applications and other instructional technology tools. To achieve this objective,

synchronous learning using Cisco WebEx and/or Google Meets was implemented. Both programs provided students with an opportunity to ask questions, obtain feedback, and receive needed support in a timely manner. Teachers also used GoGuardian to monitor student use and engagement during virtual learning. GoGuardian allowed teachers to observe student online activities in real-time. The program includes the capability to shut down inappropriate browsing, utilize selected sites for instruction, provide teachers with the capability to chat directly with students, supply individualized supports for students, include a wide variety of diversified activities, and increases student participation through interactive instructional activities.

Once teachers were permitted by DJS to reenter the facilities, teachers returned to face-to-face instruction. The returned to face-to-face instruction occurred on March 7. Today, teachers continue to incorporate technology that was implemented during the closure of schools due to COVID-19. JSES will continue to adhere to DJS medical team protocols for staff and students and monitor CDC guidance as it relates to COVID-19.

## **Responses to Inaccurate Statements and General Misconceptions**

**Unassisted packet work is not an adequate substitute for professionally led instruction by qualified education personnel (pages 4, 26, 28, 38, 43).**

The DJS determined that due to the COVID-19 outbreak in December 2021, virtual instruction was necessary. MSDE teachers were not permitted to be on site. Therefore, students were provided hard copies of materials to accommodate their educational needs. Teachers were available for support via Google Meet or by phone. All instructional materials were returned to the school principal and given to the teachers. Teachers provided feedback and assigned grades for all assignments.

To date, JSES only provides students with work packets during the following situations:

- If the student is a newly enrolled JSES student and on quarantine, the student will receive instructional packets. In a situation of this nature, students are provided with packets which include supplemental instructional materials.
- When safety and security purposes require that students do not have access to a Chromebook, packets are provided to the student.

**Many students on quarantine or in medical isolation do not have access to online classes since they are confined to living units; living units at many DJS facilities are not equipped with internet access (pages 4, 13, 26, 28, 38, 39).**

There is a memorandum of understanding (MOU) between DJS and MSDE which was signed on September 28, 2021. The MOU clearly delineates that the DJS is responsible for

internet access on student housing units. The MOU was enacted to ensure the availability of internet access in all areas of school facilities. Teachers and MSDE staff members are not allowed in quarantined housing areas. The MSDE is responsible for, and provides internet access within educational areas. Some of the smaller facilities can access Wi-Fi from education areas and in those cases, students receive the live stream in their housing areas.

However, there were instances when students were provided hard copies of materials to accommodate their educational needs. All instructional materials were returned to the principal and given to the teachers. Teachers provided feedback and assigned grades for the materials. DJS staff are not asked or required to provide educational instruction to students. DJS staff are not highly qualified teachers and do not have teaching credentials.

**(Even during periods of virtual education,) enabling some education personnel to be on site at each facility during the entire school day to provide academic assistance and help with logistics in operating the virtual education program (page 6).**

On December 17, due to rising COVID numbers, DJS closed all school facilities to non-essential MSDE personnel. Principals were the only MSDE staff allowed in the buildings. Teachers provided synchronous online instruction for six hours a day, five days a week. Teachers provided academic assistance through Google Meet and by phone until they were permitted back into the facilities on March 7. Students received all essential services, such as speech, counseling, and psychological services through Google Meet and telephone conversations. All grading of student classwork was conducted through Google Classroom. The MSDE principals were required to report to their assigned facility each day during the timeframe when the schools utilized virtual instruction.

**Cheltenham Youth Facility (CYF) - Movement to school was halted for a couple of days during the fourth quarter of 2021 due to school safety issues. A series of brawls erupted during school on a number of separate occasions during the fourth quarter involving several students from multiple units (page 10).**

The DJS is responsible for bringing students to and from classrooms at every school and maintaining a safe and secure environment for students. If the DJS determines that school safety is an issue due to disciplinary issues with a student or students, the decision is outside of the control of MSDE staff. Maintaining discipline within the facilities continues to be the responsibility of the DJS. All references related to DJS facilities and procedures should be addressed by the DJS.

**CYF - physical altercation, the staffer supervising the youth ran out of the classroom when the youth began fighting (page 11).**

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maintaining a safe and secure environment for students. If the DJS determines that school safety is an issue due to disciplinary issues with a student or students, the decision is outside the control of MSDE staff. Maintaining discipline within the facilities continues to be the responsibility of the DJS. All references related to DJS facilities and procedures should be addressed by the DJS. The staff member that left the classroom was a DJS employee. The MSDE teacher remained in the classroom with the students.

**CYF - A high school graduate who was moved to CYDC from Noyes was in the midst of community college courses during the fourth quarter of 2021. He missed classes during the fall semester due to being on quarantine and not having access to a computer with internet access and therefore did not receive credit for the classes in which he was enrolled (page 11).**

The DJS did not provide internet access to students on quarantine at Cheltenham. There is a MOU between the DJS and the MSDE which was signed on September 28, 2021. Therefore, the DJS is responsible for internet access on housing units. The MOU ensures the availability of internet access on housing units. MSDE staff members are not allowed in the quarantined housing areas. The MSDE provides internet access within the educational areas. All references related to DJS facilities and procedures should be addressed by the DJS.

**Baltimore City Juvenile Justice Center (BCJJC) - A school climate that is conducive to learning should be prioritized at BCJJC and more time and effort should be devoted to academic instruction. Students were listening to music videos and watching YouTube videos during the school day in the fourth quarter instead of doing schoolwork. The school environment is often chaotic with frequent interruptions (page 22).**

On December 17, due to rising COVID numbers, the DJS closed all school facilities to non-essential MSDE personnel. COVID-19 outbreaks had increased across all DJS facilities. The JSES responded immediately by providing instructional materials to students for every day that teachers could not provide in person instruction. The JSES teachers and principals immediately began making calls to housing units to address questions or concerns from students and DJS staff. During synchronous online instruction, all students were logged into their google classroom by the principal and/or assistant principal before students entered their classrooms in the morning and upon their return after lunch. Maintaining discipline within the facilities has always been the responsibility of the DJS. Maintaining classroom discipline is even more imperative when MSDE teachers are not on site due to unforeseen emergencies.

**Baltimore City Juvenile Justice Center (BCJJC) - There were several vacancies in the school at BCJJC during the fourth quarter of 2021, including for a math and science teacher. As a result of ongoing vacancies, teachers are sometimes required to**

**teach courses in subjects in which they are not certified. Emphasis should be placed on filling school vacancies with certified instructional staff (page 22).**

Teacher shortages are a nationwide reality. A recent Frontline Education survey reveals that, “More than 1,000 districts nationwide reported having a teacher shortage. In cities, 75% of districts reported a shortage, compared with 65% in rural areas and 60% in the suburbs.” The pandemic has served to increase this reality. Despite the teacher shortage, the math and science teaching vacancies at the BCJJC were filled during the fourth quarter. There are certified teachers in all content areas at BCJJC. No teacher was teaching outside of their content area. All students received instruction from a certified teacher for all classes, which included the math and science classes.

In collaboration with the MSDE Human Resources (HR), weekly meetings continue as a concrete process to assist the JSES with hiring and retention of staff. Filling vacancies and hiring quality staff within our schools continues to be a major focus and goal. In collaboration with HR, the JSES staff reviews applications on a weekly schedule for all open positions within the schools and forward screened applications to principals for interviews. The MSDE is committed to filling vacant teacher positions with highly qualified teachers.

**BCJJC rapid - The school at BCJJC lacks a proper library and media center even though the facility has one of the largest average daily student population of all DJS detention centers (page 22).**

The space provided for education at BCJJC is maximized for classroom space due to the large student population and student instructional needs. Library materials are distributed throughout classrooms and students have the opportunity to check books out to read at their leisure. A work order has been submitted by the superintendent to have shelves installed for books. In addition, schools have been equipped with Nooks that contain over 100 titles. Students in all schools can use Nooks while on the housing units.

**Charles H. Hickey (CHHS) - Students reported that packets were not geared toward their grade level and the content often did not match with the classes in which they were enrolled (page 26).**

Due to rising COVID numbers, DJS closed all school facilities to non-essential MSDE personnel. Following DJS’ decision to close the facilities to teachers, CHHS teachers and staff submitted instructional materials tailored to each student and content area. Completed student work was collected and scanned to teachers for feedback and grading. Teachers updated grades and assigned work based upon student performance.

The only students that may have received non-specific coursework, were new students

entering the facility. These students received intake unit instructional materials while on initial quarantine. Once student records were received, students were scheduled into their appropriate courses and supplied with instructional materials specific to their courses and academic levels.

**Victor Cullen (Cullen) - Emphasis should be placed on improving the school climate at Cullen. Youth report that some teachers use the threat of point loss (which can lead to extended length of stays based on the Department's behavior management system) to harass and agitate them. The monitor also observed two teachers using profanity directed toward students. The observations were reported to the school principal (page 38).**

Teachers follow the Positive Behavior Intervention Strategy STARR program. The STAR program is designed to assist with classroom behavior and management. Students earn points for being focused and on task, respectful, and meeting educational and behavioral expectations of the school. Students fail to earn points for refusing to engage in classroom activities and completing assignments.

When questions regarding teachers using profanity directed at students was investigated, the principal stated that no one had reported a situation in which teachers were using profanity directed toward students. Additionally, expectations regarding staff and student interactions are discussed regularly and reiterated frequently. Maintaining an appropriate classroom demeanor and positive instructional environment has always been a main goal of the MSDE.

**Victor Cullen (Cullen) - School operations across all DJS facilities were disrupted during the fourth quarter of 2021 due to a widespread COVID-19 outbreak. School personnel were prohibited from entering DJS facilities and students were provided packets to complete on their own. Virtual instruction began in January 2022, however students on quarantine and medical isolation continued to receive packets of worksheets to complete on their own due to lack of internet access on living units. Spanish-speaking youth requested on multiple occasions for packets in Spanish so they could understand and complete schoolwork (page 38.)**

Due to rising COVID numbers, the DJS closed all school facilities to non-essential MSDE personnel. Following DJS' decision to remove teachers from the facilities, teachers and staff submitted instructional materials tailored to each student and content area. Completed student work was collected and scanned. Teachers graded the assignment and provided feedback to students. Teachers updated grades and assigned work based upon student performance.

The DJS did not provide internet access to students on quarantine at any school. There is a MOU between DJS and MSDE which was signed on September 28, 2021. Therefore, DJS

is responsible for internet access on the housing units. The MOU ensures the availability of internet access on housing units. MSDE JSES staff members are not allowed in the quarantined housing areas. The MSDE provides internet access within the educational areas.

Teachers were available for support via Google Meet or by phone for all students on quarantine. The DJS provides interpreters. The JSES teachers have received multiple professional development sessions on working with English language students and established a bank of resources that any teacher can use in the classroom. The JSES currently has two English Learner teaching positions located at Cheltenham and Noyes which are utilized to provide individualized sessions for students.

**Victor Cullen (Cullen) - Youth may enroll in online community college courses if their time in placement aligns with the beginning of an academic semester. However, during times when youth have been exposed to COVID-19 and placed in quarantine (or when school is out for teacher professional development or school holidays), course work is often disrupted because youth are stuck on living units and are not able to access a computer and internet connection to virtually attend college classes and complete assignments. Tutoring services and academic assistance are also rarely available for students enrolled in college courses (page 39).**

The DJS did not provide internet access to students on quarantine at any school. There is a MOU between the DJS and the MSDE. Therefore, the DJS is responsible for internet access on the housing units. The MOU was initiated to ensure the availability of internet access on housing units.

The JSES staff is diligent in providing academic support to post-secondary students who attend a JSES school which includes providing individual teacher supports educational resources such as supplemental texts or books.

**Victor Cullen (Cullen) - High school graduates housed at Cullen throughout the year have passed school time on living units watching TV; using the game room; or performing odd jobs around the facility in exchange for extra food or extra family contact.**

**There are no opportunities for youth to take part in long-term career and technical education courses or in practical, hands-on job readiness programs that lead to sustainable employment in the community. A modest DJS initiative called World of Work was popular among young high school graduates. Youth were able to earn minimum wage which could be put toward restitution and post-release living costs for performing odd jobs around the facility. The initiative has been permanently discontinued. Access to a robust array of job training resources leading to meaningful employment in the community should be made available at all DJS placement sites, including Cullen (page 39).**

The World of Work program was a DJS initiative. The DJS also makes the determination about whether students can leave campus. The JSES established a post high school option program for students that began in 2016 that established partnerships with Anne Arundel County, Baltimore City and Frederick County community colleges. Students can take both credit bearing and continuing education workforce development courses online. Some courses are available in a rolling enrollment option, meaning there is some flexibility in the start date. When students have a disruption in their coursework, and whenever possible, the school counselor communicates with the course professor to inform them that the student is unable to access their course. Students do not have access to Chromebooks if they are on quarantine and do not come to the education buildings.

The implementation of long-term career and technical education programs require a longer length of stay for full credit obtainment in a career technical education program. Introduction to construction is offered as an elective but is typically the only course that students have time to complete based on their length of stay at the facility. Career and technical education programs typically require at least two years to complete and to date, none of the students that were enrolled had previously started a career and technical education program before coming to the JSES schools.

Currently, OSHA, ServSafe, Construction Site Flagger, Workplace Readiness, as well as other certifications are offered for students transitioning into the workforce. High school graduates have access to the certifications listed above, as well as numerous post-secondary options through online learning. Students also have the option to transfer to the Backbone Mountain College program if they want to continue their education at the post-secondary level.

**Youth Centers- Education services shifted to virtual format in the beginning of 2022. While an advance on packets, virtual is a distant second best to in-person teaching. Many students at the youth centers report being bored and unengaged during the school day and express a preference for in-person instruction (page 43).**

All school system in the State of Maryland, and most school systems throughout the nation, pivoted to virtual instruction at the height of the Covid-19 pandemic. Teachers in JSES remained in school providing in-person instruction well beyond all local school systems in Maryland. During synchronous online instruction, there were multiple teachers (content, special education teacher, and other educational staff) available to provide support for students. However, some students did not log into the classes and others did not complete their class assignments. The principal indicated that many students at Backbone Mountain Youth Center were very engaged with the technology. According to the principal, students asked to come to school early, stay late, and requested to go to school on weekends to utilize Chromebooks.

## **Conclusion**

Students have always been, and will continue to be, our number one priority. The MSDE JSES staff will continue to strive to meet the educational needs of students in all JSES schools. Through collaboration and working with the DJS, local school systems, specialists at MSDE, and community colleges. Students are our main priority. Our commitment has never wavered and JSES will remain steadfast until the responsibility for educational services transfers to the Juvenile Services Education Program on or before July 1, 2022.