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**JUVENILE JUSTICE MONITORING UNIT  
STATE OF MARYLAND**

**2021 FIRST QUARTER REPORT**

## **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 visits to these sites unannounced 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 First Quarter 2021 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 2021 first quarter reports.

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

The JJMU 2021 First Quarter Report 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

June 2021

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

The Members of the Maryland General Assembly

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

The Members of the State Advisory Board for Juvenile Services  
c/o The Maryland 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:

Enclosed is the Juvenile Justice Monitoring Unit's 2021 first quarter report which offers an update on conditions in Department of Juvenile Services' (DJS) operated and licensed facilities.

While the Department has made substantial efforts to contain the spread of COVID-19 in DJS operated detention and placement facilities, the critical task of ensuring that young people have access to appropriate and individualized evidence based services in placement and detention facilities continues to be an unresolved challenge.

The youth population at DJS operated placement and detention facilities has been lower over the past year (during the COVID-19 pandemic) than in previous years, but remote and resource poor facilities continue to be used for youth sent out of home. This means that there is still a crucial need to maintain the downward trend in the numbers of incarcerated children and young people in Maryland. The Department needs to examine alternatives to remote placements and to implement plans to achieve the goal of moving resources away from prison-like environments and orientating the system towards bolstering and utilizing home and community based services and supports for young people and their families.

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 2021 FIRST QUARTER REPORT

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# **COVID-19 RESPONSE AND THE JUVENILE JUSTICE SYSTEM**

## COVID-19 RESPONSE AND THE JUVENILE JUSTICE SYSTEM

➤ The COVID-19 pandemic continued unabated during the first quarter of 2021 at Maryland Department of Juvenile Services' (DJS) detention and placement facilities. Despite greater availability of vaccines for both staff and youth 16 years and older, positive cases and facility outbreaks persist. At time of writing (May 21, 2021), 25 youth and 101 staff have tested positive for COVID-19 since the beginning of 2021. At Green Ridge Youth Center, 8 staff and 3 youth tested positive during an outbreak in April of 2021. A youth exposed to a positive staff at Mountain View in late April became very upset when she was unable to go on a court-approved home pass for two weeks, because of DJS quarantine requirements. Continuous efforts should be made to encourage staff to get vaccinated and thereby reduce the risk (both psychological and physical) to children under their care.

➤ Quarantine requirements are a psychological hardship for youth and can increase feelings of boredom and anxiety in young people. They can also exacerbate mental health and trauma-related conditions which the majority of youth in the juvenile justice system experience. Youth are confined to their unit for the first 14 days upon entering detention and placement (referred to as new admission quarantine). Youth are also quarantined on the unit when they have potentially been exposed to COVID-19 from staff or other youth. At some facilities during the reporting period, youth in quarantined units did not receive structured recreation time in the gym or outside on a consistent basis.<sup>1</sup> For example, at the WMCC and LESCC facilities, several youth on quarantine reported frustration with having to stay on the unit all day and reported that there were no staff available to take them to the gym or outside for fresh air. Youth also eat meals and “attend” school - which, depending on the facility or unit, consists of either access to virtual classes or packets/worksheets that the students have to complete on their own. Youth who have tested positive for COVID-19 are further restricted from movement as they have to stay in their cells for 14 days (until they are medically cleared).

➤ The limited options for youth engagement at DJS facilities pre-COVID have been further curtailed due to COVID-19 restrictions on the types of activities youth may engage in for recreation and enrichment. The lack of meaningful, structured activities for youth has contributed to an institutional environment exacerbated by boredom and monotony. Boredom is especially prevalent in facilities which have not provided youth with coping mechanisms such individual music players to help pass the

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<sup>1</sup> Youth on quarantine units who have an initial negative COVID test upon arrival are allowed to attend recreation outside per the DJS medical director. Youth who have an initial negative test are also allowed to go to the gym as long as sanitation protocols are followed.



time.<sup>2</sup> During the reporting period, youth at the Cheltenham Youth Detention Center (CYDC) were observed mostly playing cards or watching movies during periods of downtime. However, on one unit at CYDC, youth have not even been able to pass time watching television as a broken TV has not been repaired or replaced for over six months. Other activities or alternative arrangements to keep young people constructively occupied were not observed during several monitoring visits to the unit during the first quarter.

➤ The Maryland State Department of Education Juvenile Services Division is responsible for education services in DJS facilities but has failed to provide appropriate education services to youth over the span of the COVID-19 pandemic. School instruction is provided through virtual lessons with some teachers on-site (but not teaching) two days a week to help with technical issues that arise during the school day. The lack of daily on-site educational support and in-person led instruction is negatively affecting student performance and motivation. During visits to facility schools, monitors have observed students sleeping, socializing, and reading books rather than engaging in lessons because of struggles with having to take classes solely on the computer. In addition to stymied academic progress, youth face disciplinary consequences through the DJS behavior management system if they are not engaged in virtual course work during the school day. Several students at every DJS facility have persistently requested a return to in-person instruction.

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<sup>2</sup> Administrators at Waxter, Noyes, and LESCC detention centers and all DJS placement centers have provided their youth with MP3 players for use outside of structured programming.

## DJS Secure Detention Centers

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 Centers

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

First quarter 2021 population and incident trends versus first quarter of 2020:

- ✓ Average daily population (ADP) of youth decreased at all DJS-operated detention centers and all DJS-operated and DJS-licensed committed placement centers.
- ✓ Youth on youth fights and assaults decreased in secure detention at BCJJC, CYDC, Hickey, Waxter, Noyes, and LESCC and at all DJS-operated and DJS-licensed committed placement centers
- ✓ Physical restraints decreased in secure detention at BCJJC, CYDC, Hickey, Waxter, Noyes, and LESCC and at all DJS-operated and DJS-licensed committed placement centers.
- ✓ The use of mechanical restraints (handcuffs and/or leg irons) inside facilities decreased in secure detention at Waxter, Noyes, and WMCC and at all DJS-operated placement centers. Mechanical restraints were not used inside CYDC, Hickey, and LESCC secure detention centers.
- ✓ The use of seclusion decreased in secure detention at CYDC, Hickey, Waxter, and Noyes and in committed placement at Victor Cullen. Seclusion was not used at LESCC detention center.
- Physical restraints increased in secure detention at WMCC.
- Mechanical restraints usage inside facilities increased in secure detention at BCJJC
- Seclusions increased in committed placement at BCJJC.
- There were 39 incidents involving suicide ideation, 1 suicide attempt, and 21 incidents of self-injurious behavior at DJS-operated facilities during the first quarter of 2021.

# COMMITTED PLACEMENT

## 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. African American youth represented 68% of total entries during the first quarter of 2021 compared to 80% in the first quarter of 2020. Hispanic/Latino youth represented 11% of youth entries during the current reporting period compared to 9% during the same time last year.

<b>Victor Cullen – Selected Incident Categories</b>	<b>Q1 2019</b>	<b>Q1 2020</b>	<b>Q1 2021</b>
<b>Average Daily Population (ADP)</b>	<b>22</b>	<b>22</b>	<b>11</b>
1. Youth on Youth Assault/Fight	15	12	5
2. Alleged Youth on Staff Assault	8	7	2
3. Physical Restraint	33	30	12
4. Use of Handcuffs and/or Shackles	27	19	8
5. Seclusion	4	5	3
6. Contraband	1	6	1
7. Suicide Ideation	2	0	0
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	0	1

## Population

The average daily population (ADP) at Victor Cullen in the first quarter of 2021 declined by 50% compared to the first quarter of 2020. During the same time period, youth on youth assaults declined by 58%, physical restraints of youth by staff declined by 60%, use of

mechanical restraints (handcuffs and/or leg irons) on youth inside the facility decreased by 58% and use of seclusion decreased by 40%.

### **Treatment**

Cullen is not a functional treatment program in part due to long-standing resource deficits in staffing, mental health, education, and recreational and enrichment resources. The result is that the experience of youth at Cullen is described by many of the young people incarcerated there as “doing time” rather than a period of treatment and learning, growth or work toward future successes. As one youth stated to a monitor during the reporting period, “there is nothing for me here.” In essence, Cullen serves as a warehouse for incarcerated young people who are able to comply with institutional rules, follow directions and quietly serve time until finally released. Youth needing more individualized structure or intensive support are often ejected as the facility is not set up or equipped to handle their needs.

Incident 166547 provides an example of how the lack of a treatment approach at Cullen leads to harm and negative outcomes for vulnerable youth. In Incident 166547, a youth was upset because his phone call was cut short and he wanted to make another call. The staffer present would not allow him to do so, and a tussle between the youth and the staffer over the phone erupted after the youth reached for the phone. The staffer can be seen on video pushing the youth which provokes the youth to push him back. During the course of the melee, the staffer can be seen on video striking the youth with his fists two to three times. The youth was brought to medical following the incident and reported that “the staff pushed me, and that’s when I pushed him back and we started fighting”. The youth complained of chest pain following the incident and the medical exam noted a scratch on his face and an abrasion on his thumb. Child Protective Services (CPS) and Maryland State Police were contacted. CPS did not substantiate abuse by the staffer in this incident. Maryland State Police did not press charges against the staffer. Rather, they forwarded charges against the youth. The youth was ejected from Cullen the day following this incident and spent weeks in a high security detention facility before being sent to an out-of-state placement.

### **Staffing**

Staff overtime is high at Cullen which can lead to staff burnout, low morale, and an unsafe facility environment. Youth movement during weekends was restricted during the quarter due to shortages of staff available to work on weekends. There were vacancies for upper and middle level management which can also contribute to direct-care staff feeling unsupported.

### **Mental Health**

Cullen has an on-going issue with recruiting and retaining mental health staff. At time of writing, two mental health positions and one mental health supervisor position remain unfilled. Only one full-time on-site therapist was available for youth consultation throughout the quarter. Mental health administrators from DJS Headquarters (who are responsible for oversight of mental health services at all DJS facilities) assisted in providing support to the lone mental health

provider. Gaps in mental health services and frequent turnover in mental health staff undermine efforts to establish rapport with youth and can effectively stifle therapeutic progress.

### **Recreation and Enrichment**

Youth report that the facility schedule for recreation and enrichment is not followed on a consistent basis. For example, a woodworking class was often cancelled due to the instructor either failing to show up or not seeing kids on a regular basis. One youth started making a plaque for his deceased brother and was not able to finish it and bring it home upon release. Another youth filed a grievance about the lack of activities, stating that “they got no activities for us we sit on the unit and do the same thing over and over” (Grievance 16894).

### **Education**

The Maryland State Department of Education, Juvenile Services Education System (MSDE JSES) operates the school at Cullen and at all DJS-operated detention and placement centers. Education options at MSDE JSES schools are limited. Course work consists of four classes held for an hour and half each in core content areas. Students cannot earn a high school diploma within the MSDE JSES school system. The education curriculum is not supplemented with hands-on Career and Technical Education (CTE) courses leading to nationally recognized certifications in high demand fields. Employment and internship experiences do not exist for youth at DJS facilities.

Education offerings were further limited during the COVID-19 pandemic. At time of writing (May 21, 2021) school is held virtually with teachers on-site two days a week – not to teach but only to assist with any technical issues with virtual learning. The majority of students at Cullen reported to monitors that they do not feel supported by education staff.

For more information on education in DJS facilities, see the MSDE JSES section of this report which begins on page 43.

High school graduates at Cullen have especially limited options, and they reported being bored and unengaged for much of the day. A modest World of Work (WOW) developed by DJS allowed high school graduates to complete odd jobs around the facility for minimum wage. Money earned was applied to restitution fees (if applicable) and any remaining funds were available for youth use upon release. The program was one of the few productive and meaningful outlets available to help high school graduates pass their time. World of Work was discontinued by DJS headquarters staff. High school graduates are still asked to work by Cullen administrators, but for extra food and phone calls instead of pay.

## Garrett Children’s Center

Garrett Children’s Center (GCC) (formerly known as Savage Mountain Youth Center), located in Allegheny 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. There were no youth placed at GCC during the first quarter of 2021.

Savage Mountain	Q1 2019	Q1 2020	Q1 2021
<b>Average Daily Population (ADP)</b>	<b>7</b>	<b>7</b>	<b>N/A</b>
1. Youth on Youth Assault/Fight	1	4	N/A
2. Alleged Youth on Staff Assault	0	1	N/A
3. Physical Restraint	12	11	N/A
4. Use of Handcuffs and/or Shackles	4	4	N/A
5. Seclusion	0	0	N/A
6. Contraband	1	0	N/A
7. Suicide Ideation	1	1	N/A
8. Suicide Attempt	0	0	N/A
9. Self-Injurious Behavior	0	0	N/A

The state of Maryland spent close to \$6 million fiscal dollars to add fencing, locks and other security apparatus to convert the remotely located staff secure Savage Mountain Youth Center into a more prison-like hardware secure facility (renamed the Garrett Children’s Center). Construction remains ongoing. While it was open, GCC was plagued with poor management, leading to significant safety and security issues<sup>3</sup> and a dearth of recreational and vocational

<sup>3</sup> See JJMU 2020 Third Quarter Report, page 9, available at: [JJMU Q3 2017 Report Draft November 21 2017 \(marylandattorneygeneral.gov\)](http://marylandattorneygeneral.gov)

programs. The failure to meet youth safety and rehabilitative needs led to multiple youth ejections from the facility.<sup>4</sup> The experience of young people sent to GCC echoes what extensive research has shown – warehousing youth in correctional-oriented, prison like facilities located far from their loved ones and communities negatively affects youth well-being and endangers public safety.<sup>5</sup> For the small number of young people that are sent out of home, the state of Maryland should move towards a model that privileges smaller, home-like programs that are located closer to youth families and communities and that are able to leverage local resources to provide intensive therapeutic and rehabilitative supports.

Despite the high cost of running youth prisons<sup>6</sup>, declining populations of committed youth<sup>7</sup>, and the growing consensus that the youth prison model fails to improve public safety and youth outcomes, DJS remains wedded to this outdated approach and plans to reopen GCC during the summer of 2021.

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<sup>4</sup> Ibid.

<sup>5</sup> See Bonnie, R.J., Johnson, R.L., Chemers, B.M., and Schuck, J. (Eds.). (2013). *Reforming Juvenile Justice: A Developmental Approach*. Washington, DC: The National Academies Press, Committee on Law and Justice, Division of Behavioral and Social Sciences and Education.

<sup>6</sup> The per diem rate for GCC was \$587.62 in FY 2020.

<sup>7</sup> The average daily population of youth at GCC in 2020 was 4 young people.



## Youth Centers x2

The youth centers, located in remote western Maryland, consist of Green Ridge and Backbone Mountain, two separate staff secure (not fenced and locked) facilities for boys. Each of these centers is owned and operated by the Maryland Department of Juvenile Services (DJS/the Department). African American youth represented 78% of total youth center entries in the first quarter of 2021 compared to 66% in 2020. Latino/Hispanic youth represented 3% of youth entries in the first quarter of 2021, a decrease of 8% compared with the same period in 2020.

<b>Combined Youth Centers (x2) – Selected Incident Categories</b>	<b>Q1 2019</b>	<b>Q1 2020</b>	<b>Q1 2021</b>
<b>Average Daily Population (ADP)</b>	<b>83</b>	<b>68</b>	<b>22</b>
1. Youth on Youth Assault/Fight	24	34	3
2. Alleged Youth on Staff Assault	5	10	5
3. Physical Restraint	54	77	16
4. Use of Handcuffs and/or Shackles	11	20	7
5. Seclusion	0	0	0
6. Contraband	3	17	2
7. Suicide Ideation	7	16	0
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	1	1	0

Average daily population at the youth centers declined by 68% in the first quarter of 2021 compared to the first quarter of 2020 while alleged youth assaults on staff declined by half and youth on youth fights and assaults declined by 91%. Substantial reductions also occurred in physical restraints of youth by staff and use of mechanical restraints (handcuffs and/or leg irons) on youth inside the facilities.

The smaller populations at the youth centers has resulted in more individualized attention for youth. In addition, excessive downtime has been slightly alleviated at Green Ridge Youth Center through some organized outdoor activities on or near the facility such as fishing and hiking and through youth access to individual music players available at all DJS-operated placement facilities. However, downtime at Backbone Mountain remains a concern. The facility should encourage staff to develop structured activities for youth incorporating input from the youth themselves about activities that they would enjoy. An outdoor climbing tower and zip line structure at Backbone remains unused because it has not been re-certified for safety and there are no staff at Backbone that are certified to operate the course. Administrators should pursue safety certification of the apparatus and encourage staff to receive certification to supervise youth for the area. The Department should also allow youth at staff secure placements to routinely engage in off-site outdoor activities in nearby areas.

The Maryland State Department of Education, Juvenile Services Education System (MSDE JSES) operates the school at the youth centers and at all DJS-operated detention and placement centers. Education options at MSDE JSES schools are limited. Course work consists of four classes held for an hour and half each in core content areas. Students cannot earn a high school diploma within the MSDE JSES school system. The education curriculum is not supplemented with hands-on Career and Technical Education (CTE) courses leading to employment and internship opportunities and nationally recognized certifications in high demand fields. Youth frequently express strong interest in participating in experiential, hands-on learning opportunities which would prepare youth for employment in high demand, well-paying jobs in the community. The addition of a robust employment readiness curriculum which incorporates internship and employment experience would make the time youth are sent away from home more meaningful and promote long-term success upon release.

Education offerings were further limited during the COVID-19 pandemic. At time of writing (May 21, 2021) school is held virtually for six hours a day with teachers on-site two days a week to assist on technical issues with virtual learning, but not to offer in-person instruction to youth. Students at MSDE JSES schools report that the current system is failing to address their academic needs and say they are eager for a return to in-person instruction by on-site teachers.

For information on education in DJS facilities, see the MSDE JSES section of this report which begins on page 43.

## Silver Oak Academy

Silver Oak Academy (SOA), 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. African American youth committed to SOA through DJS represented 100% of entries during the first quarter of 2021 compared to 89% during the same period in 2020.

SOA – Selected Incident Categories	Q1 2019	Q1 2020	Q1 2021
<b>Average Daily Population (ADP)</b>	<b>42<sup>8</sup></b>	<b>41</b>	<b>13</b>
1. Youth on Youth Assault/Fight	15	22	4
2. Alleged Youth on Staff Assault	7	5	0
3. Physical Restraint	17	24	1
4. Use of Handcuffs and/or Shackles	0	0	0
5. Seclusion	0	0	0
6. Contraband	7	6	2
7. Suicide Ideation	0	0	0
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	1	0

The average daily population of residential youth<sup>9</sup> placed at Silver Oak decreased by 68% in the first quarter of 2021 when compared to the first quarter of 2020. Comparing the same time

<sup>8</sup> During the third quarter of 2018, SOA began accepting youth from jurisdictions outside of Maryland. The ADP listed for the first quarters of 2019, 2020, and 2021 were provided by SOA and includes youth at the facility that were committed to the residential program at SOA through both DJS and out-of-state agencies.

<sup>9</sup> Silver Oak provides high school education services to day students who live in surrounding communities. During the quarter, day students were kept physically separated from residential students.

periods, youth fights and assaults decreased by 82% and physical restraints of youth by staff decreased by 96%.

Lapses of supervision and unprofessional behavior by staff are concerns at Silver Oak as the following incidents from the current reporting period demonstrate:

In Incident 166354, a group of youth jumped out of the window in their room at night, walked across campus, and broke into the administration building. The youth then broke into the control room where they took a pair of keys to the facility van. From there, they walked to the facility parking lot and entered the van and drove off from the facility.

In Incident 166594, youth were moving from the gym to the dining hall. A staffer noticed that one of the youth was not present when they reached the dining area. Staff began searching for the youth and found him walking down the driveway of the facility.

In Incident 166149, a social worker for an out-of-state youth who had recently completed the program at Silver Oak contacted the facility and stated that the youth was still in contact with a female staffer working there. The youth was alleged to be living with the staffer after his discharge from Silver Oak.

In Incident 166689, a student was lying on his desk in a classroom. The teacher became frustrated when the youth was not following directions and proceeded to flip over the youth's desk. The youth hit his head on a file cabinet as he fell from the desk on to the ground. When the youth began to get up off the floor the teacher grabbed him and a direct care staffer had to intervene to separate the teacher from the student.

Comprehensive camera coverage at SOA would enhance safety, security, and staff accountability. Areas where incidents are common - such as classrooms (Incident 166689), the student lounge (Incident 166586), the gym (Incident 166964), and the refocus room (where youth are brought by staff to de-escalate following incidents [Incident 166224]) all lack camera coverage. Video surveillance should be added at all of these locations.

Unlike schools in DJS facilities, where learning remains virtual and teacher contact is limited to two days a week, in-person instruction has resumed at Silver Oak. However, major strengths of the education program at Silver Oak, including robust vocational coursework, community employment and volunteer opportunities, and competitive athletics have been curtailed because of COVID-19 restrictions. The barbering program, where students can gain practical skills and earn credit hours toward a barbering license, continues to be operational. However, two hands-on programs which were previously offered – culinary arts and construction - are not currently available. In addition, only one off-campus employment site (with limited employment hours) is currently approved for student workers.

Family contact opportunities should be increased at Silver Oak. Youth receive two fifteen-minute phone calls home on the weekends and one virtual visit per month. They are also

provided one in-person family visit per month. Youth who have families that cannot visit on the one designated day per month that visitation is allowed are provided with an additional phone call or virtual visit. Youth placed at Silver Oak through DJS reported being provided more family contact while in a detention facility than at SOA and requested more opportunities to check in with loved ones. Administrators should make arrangements for increased family contact.

Mental health treatment at Silver Oak is completely inadequate. There is no on-site mental health professional at Silver Oak, and a part-time clinician with severely limited hours is (sometimes) available virtually for crisis situations. Youth should have access to individualized therapeutic services on a consistent basis to address trauma, mental health, and family-related needs. The hiring of a mental health director and staff clinician should be prioritized.

## 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 (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). African American/Black girls and Hispanic/Latina girls each represented 33% of the total number of youth entries during 2020.

<b>Mountain View – Selected Incident Categories</b>	<b>Q1 2018</b>	<b>Q1 2019</b>	<b>Q1 2020</b>
<b>Average Daily Population (ADP)</b>			<b>5</b>
1. Youth on Youth Assault/Fight			0
2. Alleged Youth on Staff Assault			0
3. Physical Restraint			5
4. Use of Handcuffs and/or Shackles			1
5. Seclusion			0
6. Contraband			1
7. Suicide Ideation			6
8. Suicide Attempt			0
9. Self-Injurious Behavior			3

The average daily population of youth at Mountain View during the first quarter of 2021 was 5 girls. There were five physical restraints of youth by staff, one use of handcuffs and/or leg irons on youth inside the facility, six instances of suicide ideation, and 3 incidents involving self-injurious behavior during the quarter.

Girls in the juvenile justice system, including in Maryland, are more likely to be victims of sexual and physical abuse and have greater mental health and family-related needs than boys.<sup>10</sup> Administrators and staff at Mountain View do not have previous experience working with girls and have not received in-depth specialized training in running a developmentally appropriate, gender and culturally responsive treatment program. Rather than utilizing a holistic, individualized therapeutic approach focused on healing, growth, and empowerment, the Department chose to transplant to Mountain View its one-size-fits-all compliance-oriented points and levels behavior management system that it utilizes at all DJS placement sites. Points given ultimately determine level status and length of stay. The emphasis on compliance creates power struggles and undermines efforts to establish rapport between youth and staff. Examples where DJS staff have taken girls' points (and sometimes issued disciplinary reports that lead to loss of weekly privileges) include:

- not doing laundry on time
- leaving a blanket in the common room
- not sitting in correct posture in one's seat
- not asking permission to get out of seat during school
- wearing one's coat inside
- not removing one's hat inside (even though staff had worn hats inside due to it being cold inside the cabin) [Grievance 16879]
- reaching over a desk
- not following dress code
- putting one's head down (while still doing work) during school
- asking for a different staff to complete a pat down search because the girl didn't feel comfortable with the staffer conducting the search touching her and being searched by the staffer would be a trigger for her. This child was told she must let that particular staff search her or she would be held accountable (through point loss and disciplinary report). [Grievance 16915].

The small number of girls at Mountain View could potentially afford an opportunity to create a safe, supportive group home-like environment for the girls where individual strengths and interests are nurtured. Instead, girls sent to Mountain View experience the program as overly controlling and punitive. Girls frequently report they are treated better while in maximum security detention facilities and would like to return there to complete their time. One girl currently in a detention center was earlier placed at Mountain View and said she had deliberately tried to run away so that police would pick her up and return her to a detention center. She told a monitor,

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<sup>10</sup> Maryland Department of Juvenile Services, Services for DJS-Involved Girls (January 2019), available at: [Services for DJS-Involved Girls, January 2019 \(maryland.gov\)](https://www.maryland.gov/services-for-djs-involved-girls)

“the staff get me here [in the detention center] and try to help me. No one understands me up there.”

Attorney complaints about the conditions and treatment of youth at Mountain View triggered an investigation by the Department’s internal investigation unit (Office of Inspector General [OIG]). During the investigation, youth reported several concerns about the program at Mountain View to the investigator. Some of their observations, which were detailed in the investigation report, are highlighted below.

### **There is a toxic milieu at Mountain View.**

One girl reported to an investigator that “This is not supposed to be detention and they be treating us like we’re locked up, but we are supposed to be in a less restrictive setting.”

She went on to describe to the investigator the effect of the environment on her well-being:

“This place is making me worse. I’m trying to go to a group home because I don’t want to be here. I’ve been really aggressive. Plus this place makes me feel suicidal because this place is miserable. They treat us like we are locked down and we are animals.” When asked if when she feels this way (suicidal), if she’s telling someone, youth responded, “I was, but not recently because they don’t do anything. They tell me the same stuff. I hate talking to people about it because they make me feel like something is wrong with me and if they would stop treating us this way, I would talk more about it.”

Regarding the general treatment environment at Mountain View, a different girl reported to the investigator:

“I think Mountain View should be shut down, pretty much. Since I got here, I’ve been trying to voice to different people—my PO, lawyer, admin, at roundtable—how the program has been running and how it’s not.....I mean, it looks so much better on the DJS website than how it actually is. I expected better treatment and a safer environment. I don’t think it’s any of the RAs or shift leads, but the main issue is the way admin runs the program and the rules they make up and the inconsistency and just the program overall is not something that should.....pretty much they shouldn’t send youth there.” Youth went on to state, “They emphasize this facility to be all treatment and therapy, but nothing about this place is therapeutic. It’s horrible. I’m normally the person who advocates, but every time I voice my opinion I get shout down.”

Another youth reported, “They took everything away, like the cards and game systems and we are bored. And they don’t ask us for ideas of activities. They just say we are doing something and we lose points if we don’t follow along.”



**Youth have to earn basic hygiene items that they received in detention such as culturally appropriate hair care products.**

According to one youth, “We were told we couldn’t have certain hair products; however, I’m African American and my hair is different. What they give us is this 2 in 1 stuff for our hair and it is horrible.” Youth stated that the youth have to be on certain levels to be able to buy certain things (using points); however, [she] reported that what is provided for “free” does not fit every youth there.

A different youth echoed these sentiments:

“They make us buy shampoo and conditioner. They give us this two in one stuff that does not work for my hair, so we have to buy shampoo and conditioner using our points and I don’t think that’s right. They tell us they don’t have money to buy anything else, but it costs like a dollar at the Dollar Store to get some decent shampoo and conditioner that we can use.” Youth told Investigator that what is provided to them (youth) does not help with detangling her hair and she needs a separate shampoo and conditioner and she does not think that she should have to use her points to “buy” something that “is a basic necessity that we should be given.”

**Youth reported mold in bathroom and on walls. Youth were required by administration to take over responsibility for deep cleaning the facility after the contracted cleaning vendor did not show up for scheduled cleanings.**

As one youth told the investigator: “They are trying to make us clean the walls and the black mold and the baseboards and the ceilings. There’s mold everywhere.” Youth specifically stated that there is mold in the bathroom and that she does not think it is right that they (staff) are making the youth clean everything.

Two other youth corroborated this youth’s account. One girl stated in the investigation report,

“In the bathroom, there’s like mold or rust on the ceiling and one of the admin staff pointed that out a few weeks ago and they decided to come up with new rules with how we clean and we have to do deep cleaning. But now, on Saturdays and Sundays we clean the upper cabin and they added that we have to clean the ceilings and walls and scrub it down, but if it’s using something toxic, we shouldn’t have to do that. They just added a bunch of things that don’t make sense.” When asked if staff help with cleaning, or if only youth does the cleaning, youth stated that it’s expected that the youth do all the cleaning and she noted that staff rarely helps clean.

Another youth reported,

“There are now some new cleaning rules and they are a bit much to complete. Such as cleaning the baseboards, ceiling in the bathroom, wiping all surfaces including the trim and baseboards, clean windows, disinfect game systems/chairs/tables, clean water fountain, wipe down all shelves, sweep/mop floor area, pick up rugs and vacuum, scrub and wipe down all surfaces in the shower and bathroom area.” Youth stated that this list of additional chores was posted in the Upper Cabin sometime last week, and that the list is to be completed by all youth on Saturdays, according to the paper. Youth commented, “Some youth don’t even do the regular chores, so why would they do these chores?” When asked if staff helps with the cleaning, youth stated, “It depends on who’s here. The majority of staff—no.”

**Youth frequently report inconsistent rules which ultimately affects their day-to-day lives. Expectations are not clearly explained by administrators and youth have no voice in shaping the program.**

One youth explained to the investigator that:

“Communication is not good.” When asked if she was referring to communication between youth and staff or between staff, youth stated, “Both.—there is a lack of communication on staff’s part and it’s just terrible. Administration feel like they don’t have to explain anything to us. They just tell the staff and staff tell us, and the staff don’t know the reason and we get mad at staff and it’s not their fault.”

Another youth said, “Everything we (youth) ask about—they (staff) say it comes from up above. We don’t get any explanations.”

Youth grievances support findings from the investigatory report. In Grievance 16863, administration ordered a search of the girls’ living space outside of their view and without their knowledge. When girls returned to the area, they realized they had several items missing (such as hair brushes and combs) and complained. Administration reported that girls were not allowed to have “too many of allowed items” and that they were “taken away”. They also reported that the “girls should not have been told extras would be given to them.” The heavy “policing” of girls’ living space, such as counting how many basic items the girls possess such as combs and brushes and confiscating without discussion or explanation by administrators is a common tactic/approach at Mountain View and helps contribute to the overly punitive environment.

Without a total over-haul of the approach at Mountain View, the hiring or promotion of an administrator with experience in establishing an effective therapeutic relationship with girls, and intensive training for staff, the program at Mountain View will continue to fail to meet the needs of girls in the deepest end of the juvenile justice system.

# DETENTION CENTERS

## Baltimore City Juvenile Justice Center

The Baltimore City Juvenile Justice Center (BCJJC) is a maximum security detention center for boys. The Maryland Department of Juvenile Services (DJS/the Department) owns and operates BCJJC, which has a DJS-rated housing capacity of 120 youth. African American youth represented 85% of total youth entries during the first quarter of 2021, compared to 91% during the same time period in 2020.

<b>BCJJC – Selected Incident Categories</b>	<b>Q1 2019</b>	<b>Q1 2020</b>	<b>Q1 2021</b>
<b>Average Daily Population (ADP)</b>	<b>88</b>	<b>76</b>	<b>38</b>
1. Youth on Youth Assault/Fight	57	88	32
2. Alleged Youth on Staff Assault	9	2	9
3. Physical Restraint	100	95	59
4. Use of Handcuffs and/or Shackles	22	14	20
5. Seclusion	12	9	16
6. Contraband	9	10	6
7. Suicide Ideation	8	3	3
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	2	0

Average daily population (ADP) at BCJJC during the first quarter of 2021 decreased by approximately 50% when compared to the same time last year while youth on youth fights and assaults decreased by 64% and instances of physical restraints of youth by staff decreased by 38%. However, the use of mechanical restraints (handcuffs and/or shackles) on youth inside the detention facility increased by 43%, use of seclusion increased by 77% and the number of alleged youth on staff assaults increased significantly (from 2 instances in the first quarter of 2020 to 9 instances this quarter). The notable increase in punitive approaches at BCJJC such

as mechanically restraining and holding kids in isolation in their cells despite sizeable reductions in population and youth on youth aggression is troubling.

Basic safety and security and quality of life issues at BCJJC contribute to a prison-like environment.

### **Safety and Security**

Leadership at BCJJC should work to ensure adequate supervision of youth and exercise better management of staff to improve safety and security.

During the quarter, administration became aware that three youth housed at the facility in the summer of 2020 posted pictures of themselves inside an education classroom at BCJJC to Instagram. Administration did not notify the Department's internal investigation unit (Office of Inspector General [OIG]) of this information nor did they write an incident report. Administrators did not know how youth got hold of a device with a camera or how they were able to access social media while inside the facility.

In Incident 166165, suboxone strips were discovered in a youth's personal items. Two youth subsequently tested positive for suboxone. Visitation had been suspended during the period in which the strips were found due to COVID-19. While youth and staff alleged that some staff were responsible for bringing in contraband to youth, administrators could not identify potential staffers who may have been involved.

In Grievance 16930, a youth reported that another youth had access to his phone code and was making calls on his account. Other youth have experienced similar issues with their personal phone codes being taken by other youth.

### **Isolation of Youth and Mental Health Treatment**

Rather than foster collaborations among supervisory, direct-care, and support staff to therapeutically address troubling behaviors that young people may exhibit when incarcerated, administrators at BCJJC choose to hold youth with high behavioral and mental health needs in isolation. One youth at BCJJC who has allegedly been involved in incidents of aggression was placed on a unit by himself for several weeks where he was forced to have meals, recreate, and attend school alone. The youth filed a grievance due to boredom from having to be by himself all the time (Grievance 16940). In addition to exacerbating mental health and trauma-related problems in youth, isolation can "cause serious psychological, physical, and developmental harm to children who need age-appropriate services and programming for their healthy growth and development or to be rehabilitated (if adjudicated delinquent). Solitary confinement and isolation practices can be even more harmful for children with disabilities."<sup>11</sup>

In lieu of isolation, comprehensive mental health services that emphasize preventative rather than solely reactive (i.e. meeting with youth to debrief after they have exhibited

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<sup>11</sup> See Juvenile Justice Initiative, Solitary Confinement, at: [Solitary Confinement - Juvenile Justice Initiative](https://www.jjustice.org/solitary-confinement) ([jjustice.org](https://www.jjustice.org))

problematic behavior) care should be encouraged. Strategies such as frequent mental health check-ins during the day and evening can help youth remain stabilized and assist them in utilizing positive coping skills. The low population at BCJJC should afford clinicians an opportunity to establish better rapport with individual youth and allow for increased contact with all youth throughout waking hours above and beyond minimal contractual requirements<sup>12</sup> which only require clinicians to see youth twice per month.

A clinician should be stationed in the school during classroom hours to assist youth who need psychological assistance during the school day.

### **Quality of Life Concerns**

In addition to psychological safety and basic security concerns, young people at BCJJC voice quality of life issues which include:

- Lack of ready access to fresh drinking water due to location of water cooler outside of youth living area

- Delays in medical care and medical follow-up (Grievances 16890, 16891)

- Lack of access to outside recreation or recreation off the unit for youth on quarantine

- Cold meals (Grievance16933)

Administrators should develop a culture at BCJJC that is more responsive to youth needs.

### **Education**

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

High school courses remained virtual for the first quarter of 2021. Teachers are on-site two days a week (not to teach but) to assist with technical issues arising from virtual education. Virtual education with minimal teacher contact is failing students academically. Many students are unengaged for much of the school day and have repeatedly requested more contact with educators to help them learn. Schools operated by MSDE JSES should transition back to full-time in-person instruction for students as soon as possible.

For more information on education in DJS facilities, see the MSDE JSES section of this report which begins on page 43.

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<sup>12</sup> Mental health services are provided by a contracted outside vendor at BCJJC, CYDC, and Hickey detention centers.

## 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. African American youth represented 76% of total youth entries in the first quarter of 2021 versus 75% during the same period in 2020. Hispanic/Latino youth represented 16% of entries during the first quarter of 2021 compared with 13% of total entries in the same period last year.

<b>CYDC– Selected Incident Categories</b>	<b>Q1 2019</b>	<b>Q1 2020</b>	<b>Q1 2021</b>
<b>Average Daily Population (ADP)</b>	<b>55</b>	<b>57</b>	<b>32</b>
1. Youth on Youth Assault/Fight	36	53	11
2. Alleged Youth on Staff Assault	0	2	2
3. Physical Restraint	34	76	18
4. Use of Handcuffs and/or Shackles	2	2	0
5. Seclusion	5	2	1
6. Contraband	1	3	5
7. Suicide Ideation	1	4	2
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	2	5	1

Average daily population in the first quarter of 2021 decreased by 44% when compared to the first quarter of 2020 while youth fights and assaults decreased by 79% and physical restraints of youth by staff decreased by 76%. There were no incidents involving the use of mechanical restraints (handcuffs and/or leg irons) on youth inside the facility and one instance of seclusion during the first quarter.

A newly appointed facility superintendent has established a multi-disciplinary team approach (involving direct-care workers, supervisors, case management, and mental health) to help foster a safe environment and meet youth needs.

### **Safety and Security**

Enhanced staff training can further reduce incidents at Cheltenham. Problematic group dynamics combined with lax supervision of youth movement led to incidents during the first quarter of 2021. In Incident 166270, a living unit was physically separated into two groups because of tension and conflict among youth. One group of youth were in their cells while another group of youth returned to the unit. The group in cells were not secured, however, and two youth ran out of their cells and assaulted a peer.

In Incident 166403, a youth was walking around a living unit during a community meeting - he subsequently confronted another youth and assaulted him. Other youth on the unit then joined in the assault. The confronting youth asserted to mental health staff that the victim of the assault had a history of bullying other youth on the unit for weeks beforehand.

In Incident 166199, a youth fashioned a weapon out of a large screw and a pen and threatened another youth with it. Staff intervened to prevent harm and confiscated the contraband. However, where the youth picked up the screw and pen and how long they were in his possession was not determined.

Refresher training for staff on sharpening awareness of group dynamics and effective strategies to manage group conflict to prevent incidents as well as on diligent monitoring of youth movement can help create a safer environment for youth and staff.

Staffers should also be extensively trained in utilizing de-escalation skills rather than excessive physical force to address problematic youth behavior. In Incident 166619, a lead staffer approached a youth for banging on the chairs in the movie room. As the staffer neared the youth, the youth walked backwards. The staffer reached for the youth, physically restraining him, then he picked the youth up off the floor and slammed him to the ground. The youth became further agitated and multiple staffers were called in to carry him to his cell.

Curbing excessive downtime can help enhance safety and security by alleviating youth boredom which leads to heightened anxiety and sometimes to incidents involving aggression. Unlike other detention and placement centers, youth at Cheltenham do not have access to individual music players to utilize as a coping mechanism. Youth on one unit have not even been able to pass time watching television shows as a broken TV has not been repaired or replaced for over six months. Young people on every living unit at the facility were observed playing cards or repeatedly watching the limited selection of DVD movies during periods of downtime.

Recreation time offers one of the few outlets for constructive engagement. However, youth at Cheltenham (and all other DJS facilities) are issued poor quality shoes with little support provided by a prison supply company – the shoes tear easily and fall apart on a frequent basis. The Department should arrange for better quality and more durable shoes for youth to use during



recreation time. In the past, administrators at other facilities (such as the Hickey detention center) have secured donations of athletic shoes for incarcerated young people to use. This option (as well as others) could be explored to provide youth with basic needs if the state cannot procure and issue items such as adequate footwear.

## **Education**

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

High school courses remained virtual during the first quarter of 2021. Teachers were on-site two days each week (not to teach but) to assist with technical issues arising from virtual education. Youth on quarantine do not receive even virtual instruction but are provided with packets of worksheets to complete on their own.

Virtual education with minimal teacher contact is failing students academically. Many students are unengaged for much of the school day and have repeatedly requested more contact with educators to help them learn. Schools operated by MSDE JSES should transition back to full-time in-person instruction for students as soon as possible.

An increasing percentage of the detained population at CYDC consists of youth with adult charges who tend to be older and have longer average lengths of stay than their peers facing juvenile charges. Many of these longer stay youth qualify to sit for the GED exam. Education staff at CYDC provide preparation assistance for students who are eligible and interested in taking the GED exam. However, there are many logistical hurdles which students face in regard to scheduling and taking the test.

There is only one GED testing center and it is located at Hickey, (a DJS detention center for boys located in Baltimore County) where GED eligible MSDE JSES students from all DJS-operated detention centers are able to take the test. Getting a student to the testing site is a protracted process. The GED test is given over two days. Testing days are limited to two days each week (the only times that education staff are in the facility) and the site can only accommodate a few students at a time. Furthermore, youth from multiple detention centers are not allowed to test together.

Once test dates have been scheduled, education staff must arrange for DJS transportation staff to pick up students and transport them (shackled and handcuffed) to the testing location. Testing dates have often been cancelled at the last minute due to COVID-19 outbreaks or potential exposure to the coronavirus at Hickey. As a result, it can take weeks before arrangements are finalized for students to take the test. The waiting and uncertainty about the testing date causes additional stress and anxiety for test takers.

MSDE JSES should arrange for all DJS detention centers to offer the GED test to their eligible students. Schools with larger numbers of students (such as BCJJC and CYDC) should be prioritized as testing site hosts. For more information on education, see page 43.

**Charles H. Hickey, Jr., School**

The Charles H. Hickey, Jr., School (Hickey) in Baltimore County is a maximum security detention center for boys. Hickey is owned and operated by the Department of Juvenile Services (DJS/the Department) and has a DJS-rated housing capacity of 72 beds. African American youth accounted for 75% of entries in the first quarter of 2021, compared to 79% during the first quarter of 2020.

Hickey – Selected Incident Categories	Q1 2019	Q1 2020	Q1 2021
<b>Average Daily Population (ADP)</b>	<b>49</b>	<b>50</b>	<b>32</b>
1. Youth on Youth Assault/Fight	38	59	11
2. Alleged Youth on Staff Assault	3	5	2
3. Physical Restraint	55	64	8
4. Use of Handcuffs and/or Shackles	7	7	0
5. Seclusion	13	8	1
6. Contraband	8	5	3
7. Suicide Ideation	8	7	3
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	1	0

Average daily population (ADP) in the first quarter of 2021 decreased by 36% compared to the first quarter of 2020. Comparing the same time periods, youth fights or assaults decreased by 81%, physical restraints of youth by staff decreased by 88% and use of seclusion decreased by 88%. There were no instances involving use of mechanical restraints (handcuffs/leg irons) on youth within the facility and three reports of suicidal ideation during the first quarter of 2021.

The current provision of mental health services at Hickey does not allow for full integration of the mental health team into facility operations. Hickey needs a full-time, on-site mental health director to coordinate services to youth, collaborate with case management and administration to foster a team approach to youth care, and provide trainings to direct-care staff. A clinician should be posted in school to assist youth in need of support during the school day. In addition, clinicians should be available to meet with youth during waking hours. During a monitoring visit in the first quarter, a youth began crying while talking to the monitor, who requested that a mental health provider come talk to the youth immediately. The monitor was informed that the clinician assigned to the youth's unit does not arrive to work until later in the day. Students in crisis should not have to wait for mental health services.

Family support is an essential coping mechanism for many incarcerated youth. In-person family visits at Hickey have frequently been suspended due to COVID-19 outbreaks. "Reduced access to familial contact can further exacerbate youth mental health problems."<sup>13</sup> In addition, "frequent contact with families have the potential to reduce youth anxiety and depression, as well as problem behavior."<sup>14</sup> Youth currently receive two 10-minute phone calls per week and two 20-minute calls facilitated by case management. They also are allowed a 20-minute virtual visit with family once per week. Youth at Hickey reported that they were rushed off of phone calls with their parents by case managers during the quarter and requested that the two allotted 10-minute calls be increased to 15-20 minutes each.

The Maryland State Department of Education, Juvenile Services Education System (MSDE JSES), operates the schools at Hickey.

High school courses remained virtual for the first quarter of 2021. Teachers are on-site two days a week (not to teach but) to assist with technical issues arising from virtual education. Youth on quarantine do not receive virtual instruction but are provided with packets of worksheets to complete on their own.

Virtual education with minimal teacher contact is failing students academically. Many students are unengaged for much of the school day and have repeatedly requested more contact with educators to help them learn. Schools operated by MSDE JSES should transition back to full-time in-person instruction for students as soon as possible.

The physical plant of the school is in disrepair and should undergo a deep clean and renovation. (See pictures on the next page.) For more information on education in DJS facilities, see the MSDE JSES section of this report which begins on page 43.

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<sup>13</sup> Gagnon, Joseph Calvin, "The Solitary Confinement of Incarcerated American Youth During Covid-19", *Psychiatry Res* 2020 Sep; 291: 113219, available at: [The solitary confinement of incarcerated American youth during COVID-19 \(nih.gov\)](#)

<sup>14</sup> *Ibid.*

Hickey School Photos



Classroom Photos



Principal's Office

### 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) and has a DJS-rated housing capacity of 42 beds. African American girls represented 74% of youth entries in the first quarter of 2021 compared to 66% in the first quarter of 2020. Hispanic/Latina girls represented 3% of youth entries during the first quarter of 2021 compared to 12% during the first quarter of 2020.

<b>Waxter – Selected Incident Categories</b>	<b>Q1 2019</b>	<b>Q1 2020</b>	<b>Q1 2021</b>
<b>Average Daily Population (ADP)</b>	<b>24</b>	<b>28</b>	<b>10</b>
1. Youth on Youth Assault/Fight	13	16	3
2. Alleged Youth on Staff Assault	12	6	2
3. Physical Restraint	37	37	13
4. Use of Handcuffs and/or Shackles	5	2	1
5. Seclusion	5	3	1
6. Contraband	2	0	5
7. Suicide Ideation	21	24	9
8. Suicide Attempt	0	0	1
9. Self-Injurious Behavior	0	0	4

The average daily population (ADP) at Waxter decreased by 64% in the first quarter of 2021 compared to the first quarter of 2020 while youth fights and assaults decreased by 81% and physical restraints of youth by staff decreased by 65%. Alleged youth on staff assaults and incidents involving suicide ideation also decreased substantially. There was one incident of

seclusion, one incident involving the use of handcuffs and/or leg irons on youth inside the facility and four instances of self-injurious behavior during the quarter.

### **Physical Plant**

The physical plant at Waxter is aging and in disrepair, and the facility needs to be replaced or undergo extensive renovation.

### **Mental Health**

A girl with complex mental health problems experiencing suicide ideation (Incident 166731) was involved in multiple incidents of self-injurious behavior (166497, 166493, 166538, 166772) and a suicide attempt (166534) while housed at Waxter during the quarter. She was sent to Waxter following ejection from Mountain View, the Department's staff secure placement site for girls.

Detention is an inappropriate setting for youth with severe behavioral health problems. Staff do not receive in-depth specialized training to provide effective interventions and services for high-needs youth. Detention settings, which emphasize uniform compliance to rules and utilize measures such as directives, restraints, and isolation in response to behavioral non-compliance, can exacerbate existing mental health problems in kids. Juvenile justice policy experts have noted that "poor mental health, and the conditions of confinement together conspire to make it more likely that incarcerated teens will engage in suicide and self-harm."<sup>15</sup> In addition, "far from receiving effective treatment, young people with behavioral health problems simply get worse in detention, not better."<sup>16</sup>

### **Activities**

Administrators at Waxter provided several outlets for young people to keep them constructively engaged throughout the quarter. Arts and crafts, spa days, and individual music players are provided to help kids cope with confinement. Management and staff are encouraged and supported in their efforts to develop creative activities for girls.

### **Education**

The Maryland State Department of Education, Juvenile Services Education System (MSDE JSES) provides educational services at the school at Waxter.

High school courses remained virtual for the first quarter of 2021. Students are required to sit in front of computers for six hours a day and listen to lessons online and complete assignments. Teachers are on-site two days a week to assist with technical issues arising from

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<sup>15</sup> Holman, Barry and Ziedenberg, Jason (2013), "The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities", Justice Policy Institute, page 2, available at: [JPI008-DODPB\\_Print.indd \(justicepolicy.org\)](#)

<sup>16</sup> *Ibid*, page 8

virtual education, but are not providing in-person instruction. Youth on quarantine are not offered virtual instruction but are provided packets of worksheets that they have to complete on their own.

Virtual education with minimal teacher contact is failing students academically. Many students are unengaged for much of the school day and have repeatedly requested more contact with educators to help them learn. In addition to stymied academic progress, girls who struggle to pay attention to online courses also face disciplinary consequences due to the DJS behavioral compliance management system in place at all DJS-operated detention centers.

Schools operated by MSDE JSES should transition back to full-time in-person teacher-led instruction for students as soon as possible.

For more information on education in DJS facilities, see the MSDE JSES section of this report which begins on page 43.



**Alfred D. Noyes Children’s Center**

The Alfred D. Noyes Children’s Center, located in Montgomery County, is a Department of Juvenile Services (DJS/the Department) owned and operated maximum security detention center for boys and girls with a DJS-rated capacity of 57 youths. African American youth represented 63% of entries in the first quarter of 2021 compared to 60% during the same period in 2020. Hispanic/Latinx youth accounted for 14% of entries in the first quarter of 2021 compared to 27% during the same period in 2020.

<b>Noyes – Selected Incident Categories</b>	<b>Q1 2019</b>	<b>Q1 2020</b>	<b>Q1 2021</b>
<b>Average Daily Population (ADP)</b>	<b>31</b>	<b>32</b>	<b>14</b>
1. Youth on Youth Assault/Fight	9	26	6
2. Alleged Youth on Staff Assault	2	1	4
3. Physical Restraint	27	48	18
4. Use of Handcuffs and/or Shackles	2	6	5
5. Seclusion	2	1	1
6. Contraband	0	2	5
7. Suicide Ideation	1	9	10
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	1	8

Average daily population decreased by 56% during the first quarter of 2021 compared to the same time period last year. At the same time, youth on youth fights and assaults and use of physical restraints within the facility decreased by 77% and 63% respectively. There was one instance when seclusion was used during the quarter.



## **Food Services**

Food services are provided by an outside vendor at Noyes. There continues to be consistently recurring issues about the overall quality of the food provided for youth, a lack of variety (Grievance 16815), an inability to make accommodations for allergies and special diets (Grievance 16806, 16807), and paltry portions (especially during breakfast time). In addition, youth report receiving less snacks than are offered at other DJS facilities because the negotiated contract only provides for one snack per youth each day. The Department should replace the current vendor with a dietary provider that serves better quality food and is more responsive to youth needs.

## **Education Services**

The Maryland State Department of Education, Juvenile Services Education System (MSDE JSES) operates the school at Noyes. Additional educational resources are provided through a partnership with Montgomery County Public Schools.

High school courses remained virtual for the first quarter of 2021. Students are required to sit in front of computers for six hours a day and listen to lessons online and complete assignments. Teachers are on-site two days a week to assist with technical issues arising from virtual education but they do not provide in-person instruction.

Students in the schools at all DJS placement sites and detention centers are struggling with virtual education and from minimal teacher contact. Schools operated by MSDE JSES should transition back to full-time in-person teacher-led instruction for students as soon as possible.

Diligent efforts by the school principal at Noyes who, unlike principals at other DJS facility schools, is on-site during school hours five days a week and has helped to ameliorate some of the shortcomings of the MSDE JSES approach during the pandemic. Additionally, resources provided by the Montgomery County Public School system (including GED preparation software, college readiness exam preparation software, and a MCPS education employee who provides on-site academic support to students five days a week) and a low student population that allows for more individualized attention have contributed to a high GED pass rate at Noyes. Roughly half of the population of young people at Noyes had obtained their GED by the end of the first quarter.

The GED success rate at Noyes exists in spite of logistical hurdles students face in scheduling and taking the test. There is only one GED testing center and it is located at Hickey, (a DJS detention center for boys located in Baltimore County). GED eligible MSDE JSES students from DJS-operated detention centers have to be transported to Hickey from around the state in order to take the test. Getting a student to the testing site is a protracted process. The GED test is given over two days. Testing days are limited to two days a week (the only times that education staff are on-site) and the site can only accommodate a few students at a time.

Furthermore, youth from multiple detention centers are not allowed to test together. Once test dates have been scheduled, education staff must arrange for DJS transportation staff to pick up their students and bring them (shackled and handcuffed) to the testing location. Testing dates have often been cancelled at the last minute due to COVID-19 outbreaks or exposure at Hickey. As a result, it can take weeks before arrangements are finalized for students to be able to take the test. The waiting and uncertainty about the testing date causes additional stress and anxiety for test takers.

MSDE JSES should arrange for all DJS detention centers to offer the GED test to their eligible students. Schools with larger numbers of students (such as BCJJC and CYDC) and high success rates for preparing their students for the exam (such as Noyes) should be prioritized as testing sites.

For more information on education in DJS facilities, see the MSDE JSES section of this report which begins on page 43.

### Lower Eastern Shore Children’s Center

The Lower Eastern Shore Children’s Center (LESCC) is a hardware secure detention center located in Salisbury. LESCC is owned and operated by the Maryland Department of Juvenile Services (DJS/the Department) and has a DJS-rated housing capacity of 18 boys and six girls. African American youth represented 75% of entries during the first quarter of 2021 compared with 69% during the first quarter of 2020.

LESCC – Selected Incident Categories	Q1 2019	Q1 2020	Q1 2021
<b>Average Daily Population (ADP)</b>	<b>16</b>	<b>18</b>	<b>12</b>
1. Youth on Youth Assault/Fight	4	6	5
2. Alleged Youth on Staff Assault	0	0	1
3. Physical Restraint	14	35	20
4. Use of Handcuffs and/or Shackles	0	0	0
5. Seclusion	0	0	0
6. Contraband	1	2	6
7. Suicide Ideation	5	1	5
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	1	0

The average daily population at LESCC decreased by 33% in the first quarter of 2021 when compared to the first quarter of 2020 while youth on youth assaults and fights remained low (at five) and physical restraints of youth by staff decreased by 43%. Mechanical restraints (handcuffs and/or leg irons) and seclusion were not used at LESCC during the quarter. There were five incidents involving suicide ideation during the first quarter of 2021.

Administrators at LESCC have provided youth with MP3 players to help cope with the excessive downtime and monotony prevalent in correctional settings. However, youth are only provided with access to individual music players for two days during the week and in the evening on weekends. Youth boredom has become even more pronounced due to restrictions on youth activities in response to the COVID-19 pandemic. Youth should be allowed to use the music players after the school day and all day on weekends as long as it is not interrupting scheduled programming.

Downtime is especially problematic on the new admission quarantine unit. Youth on the quarantine unit reported they did not have access to the gym or outside basketball court for large muscle exercise and that structured activities were not provided on the unit for recreation. Greater efforts should be made to keep youth on the quarantine unit actively engaged.

The Maryland State Department of Education, Juvenile Services Education System (MSDE JSES) is responsible for education services in DJS facilities. For information on education in DJS facilities, see the MSDE JSES section of this report which begins on page 43.

**Western Maryland Children’s Center**

Western Maryland Children’s Center (WMCC), located in Washington County, is a 24-bed maximum security detention center for boys owned and operated by the Maryland Department of Juvenile Services (DJS/the Department). African American youth represented 48% of total entries during the first quarter of 2021 compared to 52% in the first quarter of 2020. Latino/Hispanic youth accounted for 7% of total entries during the same time period, a decrease of 5% compared to the first quarter of 2020.

<b>WMCC – Selected Incident Categories</b>	<b>Q1 2019</b>	<b>Q1 2020</b>	<b>Q1 2021</b>
<b>Average Daily Population (ADP)</b>	<b>17</b>	<b>20</b>	<b>12</b>
1. Youth on Youth Assault/Fight	13	8	8
2. Alleged Youth on Staff Assault	0	1	1
3. Physical Restraint	33	14	19
4. Use of Handcuffs and/or Shackles	9	5	2
5. Seclusion	2	0	0
6. Contraband	2	0	1
7. Suicide Ideation	4	0	1
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	0	0

The average daily population decreased by 40% in the first quarter of 2021 compared to the same time last year while the number of incidents involving youth fights and assaults remained the same and the use of physical restraints on youth increased by 36%. There were two instances where mechanical restraints (handcuffs and/or leg irons) were used on youth inside the facility and one instance of suicide ideation during the quarter. While there were no

incidents of reported seclusion, WMCC does occasionally engage in a practice of placing agitated and mechanically-restrained youth who are involved in incidents in an observation room which is monitored by staff on a continuous basis (Incident 166251). This practice is not recorded as seclusion in the DJS incident database.<sup>17</sup>

Staffing shortages have led to an uptick in overtime for direct care workers at WMCC. Staff can experience burnout from being required to work several double shifts per week. In addition, staffing constraints can negatively affect safety and security by impeding the ability of staff to manage population dynamics and to provide increased levels of supervision and care to youth with high levels of behavioral health issues.

Staffing issues can also affect youth services. A long-standing vacancy for a recreation director and case manager remained open throughout the first quarter of 2021. During the quarter, youth on the new admission quarantine unit reported not receiving their one hour of required large muscle exercise time every day and they did not have access to the gym or outdoor basketball court during their entire time on quarantine. The hiring of a recreation director should be prioritized so that recreation services can be better coordinated and to ensure that all units have access to structured exercise on a daily basis. In addition, the Department should arrange for increased staff support (including case management and direct care support) at WMCC until the staffing situation gets stabilized.

The Maryland State Department of Education, Juvenile Services Education System (MSDE JSES) is responsible for education services in DJS facilities, including at WMCC. Youth have been receiving instruction solely through online classes throughout the course of the pandemic. Teachers are on-site twice per week but only to provide technical support for students.

Many students at WMCC (and all other DJS facilities) are struggling with learning on their own and have asked for in-person instruction repeatedly throughout the quarter. According to one student at WMCC, “I’m trying really hard to get the best grade possible and pass but it is very hard without the teacher here to help. I’m not the best learner on my own and that’s why I need teachers here to support me” (Grievance 16910).

Youth on the quarantine unit reported that the internet connection was poor and affected their ability to access online class instruction. Alternative school arrangements were not provided to make up for the inadequate network connection. For more information on education in DJS facilities, see the MSDE JSES section of this report which begins on page 43.

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<sup>17</sup> The Department’s policy defines seclusion as placing a youth in a locked room. Seclusion can only be used as a last resort in situations where a youth poses an imminent risk of harm to him- or herself or others, or is attempting to escape. Seclusion cannot be used as punishment. Youth who no longer meet the criteria to be placed on seclusion are to be released. The DJS policy further requires particular practices around documenting the use of seclusion and monitoring youth who are being secluded. Md. Dept. of Juvenile Services Policy and Procedure on Seclusion RF-720-18.

# **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 located in Dorchester County on the eastern shore. The program is operated by Vision Quest, Inc., and it is licensed by the Maryland Department of Juvenile Services to house up to 24 boys. Morning Star utilizes the trauma-informed Sanctuary<sup>18</sup> model.

In-person education instruction has continued at Morning Star throughout the COVID-19 pandemic.

There have been an influx of new staff at Morning Star. Administration should ensure adequate training in supervision protocols for new staff to keep youth safe. Incident 166141, where youth went into a bedroom outside of staff view in order to fight each other, could have been prevented through adherence to proper supervision protocols.

Youth at Morning Star receive three phone calls home of 10-15 minute long duration per week. Youth received more phone contact with family while housed in detention centers and requested that Morningstar increase the number and duration of phone calls home so that they could keep in more frequent contact with their families.

Morning Star should establish a youth advisory board to generate suggestions and input for recreational and enrichment activities at the facility.

### 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 the Maryland Department of Juvenile Services. One Love provides boys between the ages of 17 and 20 with developmentally appropriate and nurturing care in a community-based, home-like environment.

Youth are enrolled in local schools to complete high school graduation requirements and are able to seek employment in the surrounding area. Local resources are harnessed to provide life skills education, substance abuse and therapeutic services, and specialized career and technical education programs aligned with student interest. After-care services are provided to ensure a successful transition into adulthood and independent living.

One Love can serve as a model for out-of-home, community-based alternatives to incarceration.

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<sup>18</sup> For more information on the Sanctuary model, see: <http://www.sanctuaryweb.com/>



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

## THE MARYLAND STATE DEPARTMENT OF EDUCATION IN DJS FACILITIES

The Maryland State Department of Education (MSDE) has operational control of the schools inside DJS detention and placement facilities.

Throughout the COVID-19 pandemic, DJS administrative, direct-care, and case management staff and contracted providers in DJS facilities such as mental health clinicians have been designated as essential and have been required to report to work inside facilities on a regular basis. This designation ensured that supervision and care of youth and important services such as the provision of mental health care were not disrupted. Unfortunately, continuity of education services for incarcerated students was not given the same level of regard by MSDE JSES. In response to the COVID-19 pandemic, school operations have transitioned from in-person instruction to virtual education every school day with a teacher on site for two days each week to provide technical (but not instructional) support to students. By and large, the onus to keep kids motivated for school has been put on DJS front line staff who monitor youth in school every day and do their best to encourage and support educational progress.

Roll-out of the MSDE JSES virtual program was done with little regard to fostering student engagement, thus further alienating students from school. Instead of having teachers assigned to the individual schools teach courses to students at their school, MSDE JSES students attend virtual classes with teachers from around the system. The students may have never even met these instructors, let alone have had a chance to form a meaningful academic relationship with them. Students are also required to sit in front of computers for a total of six hours every school day with no breaks as they sign into four core content courses held for an hour and a half each. There are no enrichment or other activities to ease the monotony. The result is that many students feel disconnected from school and have told monitors that they “are on their own” to navigate their course work.<sup>19</sup>

The inadequacy of the virtual education program in MSDE JSES schools is exacerbated by long-term deficiencies in the education model utilized at MSDE JSES schools.<sup>20</sup> A clear and complete departure from the status quo of education services in DJS facilities is needed so that a quality education system that prioritizes student needs and academic success is realized.

Fortunately, a path forward was enacted by the Maryland General Assembly in 2021. SB 497/HB 71 moves control of school operations from MSDE JSES administrators and places it in the hands of an independent school board composed of members with a mission to promote progress for incarcerated students.

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<sup>19</sup> Students on quarantine at many facilities feel particularly unmoored and unsupported as they are handed packets of worksheets to complete without any teacher contact.

<sup>20</sup> See JJMU 2020 Annual Report, available at:

[https://www.marylandattorneygeneral.gov/JJM%20Documents/2020\\_Annual\\_Report.pdf](https://www.marylandattorneygeneral.gov/JJM%20Documents/2020_Annual_Report.pdf)

# **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).

### **DJS VACCINE INITIATIVE**

In late January 2021, DJS initiated a series of vaccine clinics for DJS facility staff and age-appropriate youth residing in DJS-operated facilities. These groups were prioritized due to their close contact in congregate care settings. As of the date of this writing, 529 DJS facility staff and youth have been vaccinated through the DJS Vaccine Initiative. The department notes that the total number of facility staff and youth who have been vaccinated does not include staff and youth who received their vaccination in a community setting.

### **CONTINUED COVID-19 TESTING OF STAFF AND YOUTH AT DJS FACILITIES**

Since COVID-19 testing began in DJS facilities in May 2020, more than 15,000 tests have been administered to youth and staff in DJS facilities. At the time of this writing, 73 youth in DJS custody have tested positive for COVID-19, with 65 having fully recovered. Three hundred thirty-six DJS staff have tested positive with 330 having currently recovered from the virus. Testing will continue at all DJS facilities on a monthly basis or more frequently, if deemed necessary by the DJS Medical Director or Health Department.

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 DJS'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 DJS's Medical Director and DJS 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 DJS'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, DJS's 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 a result of the COVID-19 pandemic, DJS has restricted access to its facilities to just staff and approved vendors (i.e., food delivery, repair and service professionals, etc.). Consequently, multiple outside

organizations who provided programming to youth were no longer permitted to enter DJS facilities in order to reduce the potential exposure of DJS youth and staff to COVID-19. The DJS Community Services Coordinator has notified volunteers and other programming vendors to inform them of the process to return to DJS facilities and re-initiate programming.

Additionally, in consultation with the medical team and guidance from Maryland Department of Health, DJS leadership has reinstated board games, cards and sports related activities inside and outside for youth in the general population with safety measures in place. Youth who are on admission quarantine units, 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.

DJS leadership and facility administrators are working to increase the amount and variety of internal programming for youth while maintaining adherence to infection control measures. To give youth a voice in the decision-making process, the Deputy Secretary of Operations and his Executive Team have been holding monthly roundtables since August 2020 to hear directly from DJS youth what they want to see improved or implemented in DJS facilities.

As part of the monthly roundtables, the youth have suggested a variety of activities that may be conducted virtually or otherwise safely in-person.

The CHAMPS program has a schedule of activities for making crafts, monthly themed programs, and bi-weekly intramural challenges.

At various DJS facilities, staff have hosted activities such as woodworking, art projects and horticultural activities in newly installed greenhouses. The Behavior Health Unit has implemented several projects that require youth to be creative in providing artistic and intellectual feedback over holiday breaks such as creating t-shirt designs for participants.

The Community Services Coordinator has secured virtual options that offer yoga sessions and faith-based volunteer programming. At the Baltimore City Juvenile Justice Center, an outdoor recreational space with exercise equipment has been installed and is an additional option for youth to get outside and be physically active. Additional projects currently being worked on, and suggested by the youth, are statewide trivia/debate teams that will compete virtually, self-care activities and updating selections of recreational equipment for individual exercise.

MP3 players have been distributed to youth in DJS committed programs. Youth have access to their electronic devices on a daily basis outside of school, meals, and programming times. Additionally, MSDE supplied I-pads for youth to use with downloaded games and music.

In light of Governor Larry Hogan's recent order to lift all COVID-19 restrictions in the State of Maryland, DJS leadership is considering a plan for the safe return of vendors to DJS facilities.

## **FAMILY ENGAGEMENT**

With all of the metrics regarding COVID-19 cases, hospitalizations and vaccinations trending in the right direction and Governor Larry Hogan’s order to lift all of the COVID-19 restrictions in the State of Maryland, DJS leadership is considering lifting some restrictions on family visitation at DJS facilities. When determining appropriate family visitation procedures, DJS leadership will balance safety of youth and staff with the benefits to both youth and their families to have in-person interactions at DJS facilities.

## **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 FIRST QUARTER REPORT**

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

**NEWLY ENACTED LEGISLATION WILL SIGNIFICANTLY REFORM THE JUVENILE JUSTICE SYSTEM**

During the 2019 session of the Maryland General Assembly, the legislature passed and Governor Hogan signed Senate Bill 856/House Bill 606 into law, which established the Juvenile Justice Reform Council (JJRC). The JJRC is composed of a diverse group of juvenile justice stakeholders and experts. Members include legislators, experts on juvenile law and policy, and representatives of law enforcement, the judiciary, advocacy organizations, child serving agencies, and formerly system-involved youth. The mission of the JJRC was to utilize data to make recommendations to reform the juvenile justice system in Maryland. After a brief delay due to the COVID-19 pandemic, the group met throughout 2020 in virtual meetings with the last meeting being held on December 17, 2020. To view all of the recorded meetings, presentations and research conducted by the JJRC, please follow the link below.

<https://djs.maryland.gov/Pages/Juvenile-Justice-Reform-Council.aspx>

During the 2021 session of the Maryland General Assembly, Senate Bill 853/House Bill 1187 was passed. That legislation extended the JJRC's operation into 2022, required the JJRC to submit a supplemental report on its findings and recommendations in October 2021, and appropriated \$2 million as an annual budget for ROCA, a program focused on providing supervision and support to young offenders in the community. DJS supported this legislation and looks forward to continuing to work with the stakeholders of the JJRC to continue the development and implementation of more reforms to improve juvenile justice in Maryland.

The Maryland General Assembly also passed Senate Bill 498/House Bill 71, which transfers the responsibility of implementing educational programming from the Maryland State Department of Education (MSDE) to the Juvenile Services Education Board and Program. The legislation establishes the Juvenile Services Education Program (JSEP) Board within the Department of Juvenile Services to oversee and provide for educational services to all juveniles placed in a DJS operated detention and residential facility. The JSEP Board would be comprised of representatives from DJS, MSDE, the Attorney General's Office, and others with expertise in education, law, and policy. DJS supported this legislation and looks forward to working with its partners to create a robust educational system that benefits youth in DJS facilities.

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



The Behavioral Health Unit has continued to actively recruit for all vacancies to include managerial positions via virtual interviews and participating in job fairs and contacting training programs with graduating professionals during this period. Second interviews are in process to fill the vacancy at BCJJC for a social worker for the assessment team. Behavioral health services at Cheltenham, Hickey and BCJJC are provided via contractual agreement and the contractor is fully staffed. Recruitment continues to fill a vacancy at Noyes. All other detention centers have their full complement of staff. Other behavioral health recruitments are for vacancies at the youth centers and at Victor Cullen. At the youth centers, a regional behavioral health coordinator supervises the behavioral health services and this position is overseen by a behavioral health manager. Due to vacancies at Victor Cullen, headquarters behavioral health staff have been providing onsite support.

### Committed Placement Centers

#### Victor Cullen Center (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. 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.

In regards to Incident 166547, the youth's call was cut short because his mother ended the call. When the DJS case manager attempted to reinstate the call, the mother indicated that she did not want to speak to the youth. With respect to the subsequent altercation that occurred between the youth and the DJS staff, the incident was investigated by Maryland State Police (MSP), Child Protective Services (CPS), and the DJS Office of the Inspector General (OIG). All investigations were closed with no charges filed. The staff member involved was held accountable through the DJS Standards of Conduct.

During the first quarter of 2021, staffing ratios were met at the facility for all shifts. In addition, during this time, several cottages were placed in quarantine/medical isolation as an infection control measure due to possible COVID-19 exposure on the unit. During the quarantine/medical isolation, cottages did not go to the dining hall as a precaution to mitigate the possible spread of the virus on the campus.

The Assistant Superintendent position at VCC is currently under recruitment. Currently, two vacancies in middle management are expected to be filled shortly while the 3 remaining vacancies are under

recruitment. There are a sufficient number of middle managers at the facility currently to provide support to staff.

During this period, there were no gaps in behavioral health services. There were three full-time on-site therapists providing behavioral health services and consultation to youth. These clinicians provided behavioral health services to youth weekly in individual and group sessions, thus they were able to establish rapport and help youth progress towards their treatment goals. Behavioral health administrators from DJS Headquarters began providing support in April 2021. Administrators have been present to provide services several days a week on a consistent basis since then and will continue to do so until vacancies are filled. Recruitments remain active for vacant positions.

VCC administration continually strives to offer constructive activities and programming that also can be conducted in a safe manner during a pandemic. During this period, youth were able to engage in many activities during the quarter. Activities included: painting, virtual chess programs, flower planting and mulching, 3-point basketball shoot outs, pickle ball, the mile run, woodshop activities, greenhouse planting, victim awareness, target throwing contest, virtual yoga program, Madden tournaments, movie nights, endurance/strength training, virtual church services, tie-dye activities, and other group activities.

There is a basic expectation that staff and residents maintain certain areas of the facility, especially the dorm areas. This is in line with the behavior management system that rewards youth for taking ownership and responsibility for the conditions of their environment. Some high school graduates at VCC volunteer to do additional cleaning throughout the facility. When a youth takes the initiative to improve the environment at the facility, they are recognized and rewarded through the behavior management system, which can include food items of their choice or phone calls.

### 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 first quarter of 2021.

### Youth Centers

DJS appreciates the JJMU Report acknowledging efforts to provide more individualized attention at the youth centers as well as the efforts at Green Ridge to provide organized outdoor activities.

The outdoor climbing tower and zip line at Backbone Mountain was inspected and approved on March 11, 2021. Two DJS staff have now received the necessary training and certifications to run activities on the Ropes Course. It is anticipated that use of the Ropes Course will resume for the benefit of both youth and staff.

During the reporting period, youth in various youth centers had opportunities to engage in outdoor activities including biking, hiking, snow tubing, climbing, fishing, swimming, canoeing, kayaking, and horseback riding at various local and state parks.

### Mountain View

Mountain View is a new program that opened in June 2020 and blended staff from three different youth centers to develop the treatment team for girls. Upon opening of the program, two behavioral health clinicians with significant experience working with female juvenile justice-involved youth consulted with staff at Mountain View to facilitate transition of some of the first admissions to this program. Ongoing consultation and coaching were conducted for several weeks after those first admissions. Additionally, training regarding trauma informed care, boundaries, behavior management, and self-injury have been provided to all staff. Mountain View's behavioral health clinicians, the Director of Behavioral Health, and the Executive Director of Operations recently conducted a 2-day training with Mountain View staff focused on trauma responsiveness, teamwork, communication, understanding emotion regulation, boundaries, and positive youth development.

Staff were educated on understanding and supporting youth with mental health diagnoses. Staff participated in a combination of didactic learning and interactive exercises to encourage the application of skills to address the needs of youth using a dialectical and gender responsive approach.

As far as experience working with girls, the Group Life Manager II and Behavioral Health clinician worked with girls at other facilities for several years and the Case Manager was the Program Manager at a girl's therapeutic group home before coming to DJS. The Recreation Specialist coached the women's basketball team at Frostburg State University for several years. The Superintendent has over 30 years in treatment programs with high-risk and committed youth as well as several years' experience coaching and mentoring girls.

Mountain View utilizes a holistic, individualized, therapeutic approach that incorporates trauma informed care and intensive therapeutic services with a high therapist to youth ratio. Mountain View's behavioral management system helps maintain a safe and secure facility environment that supports youths' academic, psychological, and social development. Youth's level status and length of stay are not only determined by their behavior, but also by their ability to meet treatment-related goals.

The DJS behavior management system is designed to reward youth for positive behavior while also allowing multiple opportunities to adjust behavior with staff support. Youth are informed when their behavior does not comply with expectations and are given reminders to adjust to positive behavior. The staff are trained in the application of the de-escalation protocol in order to give a youth the opportunity to identify what would assist them in refocusing, using coping skills, and being able resume programming. Behavior points are taken when a youth's conduct continues despite all attempts to de-escalate and re-focus on positive behavior.

If certain staff members trigger a youth, searches will be completed by a different staff if there is one available. Regarding Grievance 16915, an intervention was held with the youth and the involved staff. Behavioral health staff also met with the youth to assess any history of trauma while Administration met with the staff member separately to address communication strategies.

DJS conducted an investigation into the program at Mountain View and a report was produced on or about February 11, 2021. After careful review of the report, DJS leadership took strategic action to address concerns of the youth. Staff training and changes have occurred to promote a more consistent environment for youth in efforts to reduce anxiety and insecurity. To mitigate inconsistency with rules, training was conducted focusing on teamwork, trust, structure, and communication. There was also a complete overhaul of the supervisory team that aided efforts to create a consistent environment. Youth continue to have an option to express themselves during round tables and advisory boards.

Mountain View is a staff-secure environment, which means there is no fence, no locked room/cell doors and youth have access to outdoors and can walk outside to the gymnasium, dining hall, therapists' offices, and medical treatment buildings. Weather permitting, some activities are conducted outside or on the porch area. The youth and recreation specialist go on weekend excursions such as hiking, tubing, and other group activities that allow them to have positive experiences off-grounds.

Like all DJS facilities, Mountain View's activities were curtailed consistent with the department's COVID-19 infection mitigation measures. However, every girl has an MP3 player to listen to music and youth are now able to engage in board games, cards, and other activities. Facility staff routinely ask girls for ideas and input on activities that interest them.

All youth are provided name brand hygiene products upon arrival that include culturally appropriate hygiene items.

As with all DJS facilities, youth and staff at Mountain View are expected to take responsibility for their living environment, which includes regular cleaning of living and bathroom spaces. Instruction has been provided on the proper methods of cleaning and use of cleaning agents. Youth only use cleaning agents that would be found in any household.

Regarding Grievance 16863, room searches are unannounced and never performed in the presence of the youth to ensure the safety of both staff and youth.

## [Detention Centers](#)

### [Baltimore City Juvenile Justice Center \(BCJJC\)](#)

Regarding the youth who posted pictures to social media while in the facility, an investigation determined that the pictures were posted using an electronic device used in the classroom. The issue was resolved by MSDE's IT Department.

In regards to Incident 166165, an OIG investigation implicated a staff member as the possible source of the contraband. That staff member resigned prior to the conclusion of the investigation. After the departure of the staff, contraband incidents involving suboxone ceased.

Regarding Grievance 16930, the phone vendor was contacted and the issue was resolved.

The Intensive Services Unit (ISU) provides a more intensive level of care to youth requiring a higher level of services. This includes youth with significant behavioral problems and are in need of short-term intensive interventions to assist them in being able to successfully complete the facility program. Admission to the specialized unit may occur as a result of a youth displaying chronic or acute behavioral and/or psychological problems. Every youth's assignment to the ISU is reviewed weekly to determine whether the youth is ready to return to regular programming. DJS behavioral health staff have daily contact with all youth, including those in isolation, to address a variety of issues including feelings of stress and sadness. The youth involved in Grievance 16940 displayed aggressive behavior and assaulted multiple youth and staff. Facility administration determined it was appropriate to house the youth on the ISU to ensure the safety of other youth and staff. The youth was provided handheld video games, headphones, and a television while he was on the unit.

All youth at BCJJC are seen daily by behavioral health providers and offered sessions. These sessions are voluntary. The focus of behavioral health services in detention is to provide psychoeducation regarding coping skills as well as to support and assess youth prior to return home or placement in a treatment facility. Youth at the facility are additionally afforded the opportunity to work with an art therapist.

MSDE has a psychologist and a counselor who provide services for youth while in school. Behavioral health staff are available for youth during the school day when requested.

For safety and security reasons, water coolers are placed on the outside of the housing units because in the past they have been used as projectiles during incidents. Facility staff are tasked with getting the youth water upon request.

Regarding Grievance 16890, staff needed the youth's mother to confirm that he had an allergy. Once she did, the youth's health status was immediately updated, an alert was opened, and the facility medical office was advised.

Regarding Grievance 16891, once the DJS Child Advocate spoke to the nursing staff, the grievance was resolved.

Quarantined youth are given the opportunity for recreation in an outdoor setting in a manner consistent with DJS infection mitigation measures.

Regarding Grievance 16933, youth were provided a hot breakfast, hot lunch, and a bagged dinner for a limited time until dietary staff members were able to return to full time duty.

### Cheltenham Youth Detention Center (CYDC)

DJS appreciates the JJMU's discussion of efforts to meet youth needs and foster a safe environment through the new superintendent's multi-disciplinary team approach.

In regards to Incident 166270, administrative review indicated that youth placed items in their doors to prevent proper locking, which allowed them to leave their rooms without authorization. Staff have been retrained on the importance of checking doors to ensure that youth are properly secured prior to others being moved back into the unit.

Upon review of Incident 166403, staff were re-trained on using a 1:1 approach with aggressive or vulnerable youth.

Regarding Incident 166199, all staff have been refreshed on the youth search policy and procedure to utilize pat downs and visual searches during and after youth movement. Group Life Managers I and II have been instructed to conduct random video reviews during times of movement to review that the search policy and procedure is being followed.

Regarding Incident 166619, the staff member involved was held accountable in accordance with the DJS Standards of Conduct and was retrained on proper de-escalation techniques.

MP3 players have been purchased and are in the process of being distributed to the youth at the facility.

The broken television on one of the units is currently being repaired. Due to its custom design and integration with a computerized system, the DJS IT unit is working with a vendor to repair the television as soon as possible.

Youth have been enjoying movies of their choice and are participating in many other activities like music programs, outdoor exercise and basketball.

DJS purchases clothing and shoes through a State contract. Any time a youth reports discomfort or the shoes show wear and tear, the shoes are immediately exchanged for new ones. DJS infection control measures prohibit youth sharing athletic shoes with each other.

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

Hickey has a full-time behavioral health supervisor on site, who has provided services to youth for over two years. Behavioral health meets regularly with the unit managers and case managers to collaborate on services provided on each unit to the youth. The school has an assigned school counselor through MSDE, and behavioral health staff are responsive to youth needs when issues arise. The current service contract requires behavioral health staff to be at the facility from 8 a.m. to 8 p.m. on Monday through Friday and for eight hours each day on the weekends.

The youth who was in distress as described by the JJMU was seen by behavioral health staff immediately upon notification. The youth was also offered a counseling session by his assigned clinician. Thereafter, he was seen multiple times a week by behavioral health staff.

All youth receive a minimum of five calls per week: two (2) through the Department's phone system, each 10 minutes; two (2) virtual video calls, each 15 minutes; and one (1) phone call facilitated by the facility case manager for 20 minutes. Calls to attorneys and clinician-initiated calls to a youth's guardian are not included in the minimums listed above.

DJS is making arrangements with a vendor to address the physical plant issues in the school.

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

#### **Physical Plant**

Waxter has a Facility Preventive Maintenance Plan that includes daily, weekly, and monthly inspections to address all physical plant and cleanliness concerns. All identified maintenance concerns are submitted through the DJS work order system for immediate corrections. Waxter has also increased the contractual cleaning services to ensure a clean, safe, and humane environment is provided for the youth and staff.

The behavioral health trailer is now in daily operation after the completion of renovations during this reporting period.

With respect to the one youth involved with Incidents 166731, 166497, 166534, 166538, and 16672, all incidents were addressed according to policy and procedures and included medical as well as behavioral health assessments. The referenced youth was seen in person daily by a facility clinician and continued to receive both individual and family therapy, virtually, with her prior therapist from Mountain View on a weekly basis. In addition, this youth was seen in the weekly virtual clinic with the psychiatrist from the University of Maryland. This youth was eventually placed in an inpatient psychiatric setting to continue the assessment and stabilization process.

DJS appreciates the JJMU comments regarding efforts to develop creative activities for the girls.

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

The Facility Administrator addressed all noted grievances (16815, 16806, and 16807) and they were immediately resolved. The DJS Food Service Director was also notified and addressed the matter with the food service vendor.

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

A newly implemented facility procedure allows youth to use MP3 players during structured leisure time, on non-school days, weekends, and holidays. The devices will be distributed after breakfast once youth tasks are complete.

Youth in all units, including the quarantine unit, have structured activities to reduce downtime. During the pandemic, the Recreation Specialist and staff have come up with creative ideas and activities for the youth to keep them engaged. When weather permits, all youth, including the quarantine unit, are permitted to go outside for recreation and go to the gym for large muscle exercise.

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

During Incident 166251, the youth was in the observation room with numerous staff counseling him. Staff began generating the seclusion paperwork and the youth began to respond to the staff debriefing process. Consequently, the door was opened before the ten-minute period concluded. The youth was seen immediately by medical without any further issues.

WMCC has received additional Residential Advisor positions to bolster its staffing levels and continues to recruit qualified individuals for those positions. At the time of this writing, two newly hired Resident Advisors and a Case Manager have started working at the facility with additional Resident Advisors to come on board after completion of pre-screening and entry-level training. Recruitment for the Resident Advisor Lead and Recreation Specialist, respectively, continues.

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## Private Programs

### Silver Oak Academy (SOA)

#### Page 14

1. Lapses of supervision and unprofessional behavior by staff are concerns at Silver Oak as the following incidents from the current reporting period demonstrate:

“In Incident 166354, a group of youth jumped out of the window in their room at night, walked across campus, and broke into the administration building. The youth then broke into the control room they took a pair of keys to the facility van. From there, they walked to the facility parking lot and entered the van and drove off from the facility.”

**SOA Response:** Incident 166354 occurred on the overnight shift, when two staff members fell asleep, which enabled the two students to exit the building without staff member’s knowledge. A third staff member was separated in another building supervising newly admitted students who were quarantined due to COVID precaution. At the time of this incident, SOA was operating with minimal staff due to a backlog in CPS checks and were doing everything possible to retain staff members, knowing that they could not be replaced due to the backlog. Following the incident, SOA worked with the Office of the Inspector General and DJS to expedite the process and were able to onboard staff while terminating the employment of the two negligent staff members. SOA was also able to work with DJS Licensing and Medical Services to move the overnight sleeping area for COVID precaution students, which enabled enhanced supervision through consolidation of staff.

**DJS Response:** Upon review of this incident, the Department of Juvenile Services Licensing and Monitoring (L&M) requested Corrective Action Plans (CAPs) after citing the program for areas of concern noted during the incident.

Silver Oak Academy submitted CAPs for the noted areas of concerns and they were approved by L&M. A monitoring visit was conducted on April 06, 2021 to ensure the program was in compliance with the CAPs. However, during the visit it was found that the program was not in compliance with the CAPs. Due to the continued noted concerns, the Department placed Silver Oak Academy on a 60-day moratorium on April 26, 2021. At this time, L&M continues to monitor the program to ensure that they are compliant with the approved CAPs.

2. “In Incident 166594, youth were moving from the gym to the dining hall. A staffer noticed that one of the youth was not present when they reached the dining area. Staff began searching for the youth and found him walking down the driveway of the facility”.

**SOA Response:** Incident 166594 occurred due to a lapse in supervision during gym activities. When staff conducted their dinner count after exiting the gym, they realized that the student

was missing and initiated a search, which included checking the entrance road. The student, who was frustrated with missing family members, and not really trying to run away, quickly got into the staff member's car and came back to the facility. As a follow-up, staff members were advised on supervision and counts and commended for their quick initiation of the campus search. About one month following the incident, SOA was allowed to begin conducting family visits, which may serve to reduce feelings of separation and anxiety among students.

**DJS Response:** L&M had reviewed and conducted a follow up on this incident. SOA was reminded that their previous approved CAP submitted for the AWOL on December 4, 2019 (IR#161573) stated the following: "When transitioning from building to building, staff will maintain interactive supervision. Staff will be retrained on the interactive supervision policy to ensure that counts will be done before and after reaching their destination. Staff will call the count in to control after the transition to ensure all students are accounted for. The counts will be documented on the count sheet, which is located online for easy access. During transitions on campus, the staff member in control will support movement by monitoring the cameras".

After confirming that a debrief with the staff involved occurred, L&M provided technical assistance to the program to ensure that staff maintain interactive supervision at all times and that the program continues to comply with the previously approved CAP.

3. "In Incident 166149, a social worker for an out-of-state youth who had recently completed the program at Silver Oak contacted the facility and stated that the youth was still in contact with a female staffer working there. The youth was alleged to be living with the staffer after his discharge from Silver Oak".

**SOA Response:** Silver Oak was notified that a former student may have stayed at the home of an SOA para professional. The staff member informed SOA that she had allowed the youth to stay overnight. CPS declined to investigate due the youth being over 18 years of age. The staff member provided the details to SOA, including that her boyfriend, a former SOA basketball coach with a positive mentorship to the youth, had been involved in the decision to allow the youth's stay. The para professional received training and a written reprimand as a result of her misjudgment.

**DJS Response:** L&M received documentation confirming that the staff member received a disciplinary action on 1/21/21 and was trained on Boundaries and Anti-Fraternization on 1/20/21.

4. "In Incident 166689, a student was lying on his desk in a classroom. The teacher became frustrated when the youth was not following directions and proceeded to flip over the youth's desk. The youth hit his head on a file cabinet as he fell from the desk on to the ground. When the youth

began to get up off the floor the teacher grabbed him and a direct care staffer had to intervene to separate the teacher from the student”.

**SOA Response:** The teacher was immediately suspended pending ROP review and the incident was referred to Child Protective Services staff, who investigated and ruled out abuse. The teacher was issued a “Level III” written reprimand and retrained on Youth Care strategies to handle difficult behaviors as well as safe crisis management. The teacher’s schedule has been modified to focus on more individual sessions with higher functioning youth who can benefit from his math instruction and minimal interaction with lower functioning students.

**DJS Response:** L&M conducted a follow up on this incident and confirmed that the staff member was suspended without pay pending the program’s investigation. The investigation found that the staff violated the program’s policy and the staff received a written reprimand. L&M received documentation of the disciplinary action and confirmation that the staff received training on restraints and behavioral interventions on 2/26/21.

5. “Comprehensive camera coverage at SOA would enhance safety, security, and staff accountability. Areas where incidents are common - such as classrooms (Incident 166689), the student lounge (Incident 166586), the gym (Incident 166964), and the refocus room (where youth are brought by staff to de-escalate following incidents [Incident 166224]) all lack camera coverage. Video surveillance should be added at all of these locations”.

**SOA Response:** SOA is evaluating an upgrade to the camera system, but not moved forward until we can better evaluate the longer-term need, which will be determined by census and building use. An immediate solution with a cost of \$12,000 may not serve the longer-term solution of the need for additional capacity.

166224- Day School students fight in the Workforce building without camera coverage

166586-Residential students fight in the gym without camera coverage

166689-Day school student allegations in the workforce building without camera coverage

167064-Residential students on the residential unit with partial coverage

The incidents all occurred in high use areas with witnesses; however, availability of cameras would enhance incident reviews.

We disagree that incidents are common in the classrooms and student lounge areas. The refocus room does have a camera, but staff have been trained to reduce the use of the room due to isolation and possibility of injury in restraint situations. Staff have been trained not to move escalated students to this room unless the probability of other students becoming escalated and exhibiting dangerous behaviors exists.

**DJS Response:** The Department has worked with SOA to improve staff supervision along with security related issues through restructured policy and procedures. L&M continues to reiterate that restraints should not happen in the refocus rooms, or any areas without adequate camera coverage for the safety of youth and staff in the program. L&M will continue to work with the program while they are evaluating an upgrade to their camera system. L&M reviews and conducts follow up on all reported incidents to ensure the safety of youth in the program.

6. “Unlike schools in DJS facilities, where learning remains virtual and teacher contact is limited to two days a week, in-person instruction has resumed at Silver Oak. However, major strengths of the education program at Silver Oak, including robust vocational coursework, community employment and volunteer opportunities, and competitive athletics have been curtailed because of COVID-19 restrictions. The barbering program, where students can gain practical skills and earn credit hours toward a barbering license, continues to be operational. However, two hands-on programs which were previously offered —culinary arts and construction - are not currently available. In addition, only one off-campus employment site (with limited employment hours) is currently approved for student workers”.

**SOA Response:** In-person teaching never really stopped at SOA, but was modified with an increase in virtual learning supported by in-person education. SOA is back to in-person learning, augmented with virtual learning. SOA intends to fully move back toward the ROP program model, which affords opportunities for rich programming through an extended rigorous daily schedule. SOA has already resumed JROTC and barbering. Additional vocations will be added as the low census of 12 increases. SOA is currently approved to employ students at one location, which is not hiring at this time. SOA is working with DJS to reinstate off site outings. It is anticipated that as DJS adopts COVID protocols to CDC guidelines, opportunities for SOA student employment and volunteer opportunities will increase.

**DJS Response:** L&M has worked with SOA to ensure that students who participate in employment opportunities adhere to COVID protocols and CDC guidelines. SOA routinely updates and obtains approval from L&M on outside employment and outings.

7. “Family contact opportunities should be increased at Silver Oak. Youth receive two fifteen-minute phone calls home on the weekends and one virtual visit per month. They are also provided one in-person family visit per month. Youth who have families that cannot visit on the one designated day per month that visitation is allowed are provided with an additional phone call or virtual visit. Youth placed at Silver Oak through DJS reported being provided more family contact while in a detention facility than at SOA and requested more opportunities to check in with loved ones. Administrators should make arrangements for increased family contact”.

**SOA Response:** Students are provided the opportunity to have extra phone calls or video calls with their family members. They choose whether they want to do a video call or a normal phone call

with their families. The Case Manager and the Group Living staff have been working together to ensure that each student receives their phone calls each week. Silver Oak Academy will add phone calls during the week after dinner so that youth are able to have increased contact with their families

In comparing SOA to detention centers, it is important to acknowledge that SOA utilizes staff members to provide a rich daily schedule to school sports and vocations to keep students engaged. While this level of activities and engagement has been difficult to sustain during the pandemic and census reduction, the delivery of services has and will always remain in balance with family visits and phone calls. Parents involvement in their son's normalized activities such as attending sports events, VALADATION ceremonies and graduations are often overlooked as meaningful moments of accomplishment by student and parents. These opportunities will be increased as we work our way through COVID restrictions.

**DJS Response:** L&M conducts monthly virtual youth interviews with students at SOA. The interviews are virtual due to COVID. During the quarter in review, L&M conducted nine interviews. None of the youth interviewed expressed concerns with phone calls or not being in communication with their parents.

8. "Mental health treatment at Silver Oak is severely inadequate. There is no on-site mental health professional at Silver Oak, and a part-time clinician with severely limited hours is (sometimes) available virtually for crisis situations. Youth should have access to individualized therapeutic services on a consistent basis to address trauma, mental health, and family-related needs. The hiring of a mental health director and staff clinician should be prioritized".

**SOA Response:** SOA absolutely agrees and is prioritizing the hire of clinical staff as well as securing a contract to provide virtual mental health services. Our last clinical director left without notice, creating a significant void in services.

**DJS Response:** L&M is monitoring the clinical services at SOA. L&M has been requesting weekly updates to ensure that the program is actively recruiting for a clinical director and is exploring contracting for clinical services until the program is able to hire clinical staff.

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

#### Page 42

1. "There have been an influx of new staff at Morning Star. Administration should ensure adequate training in supervision protocols for new staff to keep youth safe. Incident 166141, where youth went into a bedroom outside of staff view in order to fight each other, could have been prevented through adherence to proper supervision protocols."

**VQMS Responses:** The incident in question occurred in January. It was determined that the staff member responded to the situation appropriately and followed expected program procedures. Since then the program has increased its required training opportunities as it relates to supervision and identifying behaviors of concern.

**DJS Responses:** L&M reviews all VQMS incident reports for compliance with COMAR 14.31.06 and all applicable policies. Any areas of concern are addressed by L&M by providing technical assistance or requiring a corrective action plan. L&M will continue to monitor to ensure that VQMS is in compliance with COMAR 14.31.06 and VQMS' policies as it relates to supervision.

2. "Youth at Morning Star receive three phone calls home of 10-15 minute long duration per week. Youth received more phone contact with family while housed in detention centers and requested that Morningstar increase the number and duration of phone calls home so that they could keep in more frequent contact with their families."

**VQMS Responses:** All youth receive a minimum of three phone calls per week. The calls are documented on individual phone call lists. Whenever the family has the ability, the program also offers virtual calls. The program maintains a phone call schedule and if the youth are able to connect with their families virtually, these are not included in the three weekly contacts. Within the past month, DJS has also approved, and the program has reinstated onsite family visitation.

**DJS Responses:** L&M is closely monitoring youth access to their family. This is being done through monthly youth interviews and weekly audits of youth telephone logs.

3. "Morning Star should establish a youth advisory board to generate suggestions and input for recreational and enrichment activities at the facility."

**VQMS Responses:** Until recently, the program did have a student government. The last elected official successfully discharged in April. Due to the recent number of new youth, it is the programs intention to hold Student Government Elections within the next quarter. It should be noted that the program administration has an open door policy and all youth are encouraged to express their feelings and make suggestions regarding program improvement. The program staff also meets regularly with two senior youth representatives who are identified as peer leaders to solicit feedback regarding programming opportunities and suggestions.

**DJS Responses:** L&M will continue to monitor to ensure that VQMS is in compliance with COMAR 14.31.06 and VQMS' policies as it relates to providing youth with a range of recreational and enrichment activities. Youth are interviewed monthly. Youth interviewed by L&M have not voiced any concerns regarding activities.

**MARYLAND STATE  
DEPARTMENT OF EDUCATION  
- RESPONSE**



**Karen B. Salmon, Ph.D.**  
State Superintendent of Schools

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June 7, 2021

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

The Maryland State Department of Education (MSDE) has reviewed the Juvenile Justice Monitoring Unit's (JJMU) 2021 first 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**

#### **INSTRUCTIONAL PROGRAMMING**

During the COVID-19 pandemic, teachers were in the buildings and classrooms five days a week until February 2021, which was the beginning of the second semester. In response to health-related COVID and safety concerns for students and staff, MSDE and DJS collaboratively determined that teachers needed to reduce time in the buildings and classrooms to two consecutive days a week. Beginning May 24<sup>th</sup>, on site, face-to face teacher instruction increased to three days a week and beginning June 28<sup>th</sup> teachers will return to the buildings five days a week. Throughout this time, the building principal or their designee report to the school five days a week to ensure that the 1:1 Chromebooks provided by the Juvenile Services Education System (JSES) and any materials needed for instruction are provided to students. Students receive synchronous instruction through the provided Chromebooks. The purpose of continuing instruction in a virtual setting with teacher support in the classrooms on certain days is designed to:

- limit cross-contamination of the coronavirus by reducing the movement of teachers and students between classrooms,
- provide students online access to a certified teacher in the content area due to absences caused by emergencies and sporadic teacher-required quarantines, student required quarantines, and other COVID-19 related absences, and
- limit instructional disruptions due to COVID-19 related issues such as long-term absences, student quarantine on units, and mandatory school closings.

Teachers are placed into instructional teams which includes two content certified teachers and at least one special education teacher. This instructional model has proven to be highly beneficial for overall instructional programming. If a teacher is absent, students continue to have access to certified teachers. Teachers provide direct, synchronous instruction aligned to all Maryland state standards courses in



English, mathematics, science, and social studies. In addition, Career and Technical Education (CTE) classes are held for at least 70- minutes each day. Students participate in synchronous virtual learning through direct instruction and have time allotted to complete work independently. During synchronous online instruction, teachers engage students in learning using Google applications and other instructional technology tools. Synchronous learning using Cisco WebEx and/or Google Meets provides students with an opportunity to ask questions, receive feedback, and receive needed support in a timely manner.

Streaming teachers use GoGuardian in order to monitor student use and engagement during virtual learning. GoGuardian allows teachers to observe student online activities in real-time with the capability to shut down inappropriate browsing, utilize selected sites for instruction, chat directly with students to provide individualized support, diversify activities, and increase student participation through encouragement.

When school-based teachers are not streaming, they provide the following assistance to students either physically in the classroom or via WebEx and/or Google Meets in order to:

- encourage students to complete assignments,
- tutor struggling students and provide support as needed,
- manage classroom behaviors to keep students on task,
- mentor students during instruction, and
- provide small group direct instruction and assistance.

## **GENERAL MISREPRESENTATIONS AND MISCONCEPTIONS**

### **MSDE JSES course work consists of four classes held for an hour and a half each in core content areas (pages 8, 12, 32, 35)**

During virtual synchronous instruction throughout the 2020-2021 school year, there are five class periods each day for 70-minutes.

### **Education options at MSDE JSES schools are limited (pages 8, 12, 32, 35)**

A positive occurrence, which has resulted from the global pandemic, is the use of technology in the classroom. In fact, the use of technology has expanded educational options for students including completing needed credits not offered during face-to-face instruction, incorporation of a team of dedicated, qualified teachers for each course, and engaging students with 21<sup>st</sup> century learning skills.

### **The education curriculum is not supplemented with hands-on Career and Technical Education (CTE) courses leading to employment and internship opportunities and nationally recognized certifications in high demand fields. Employment and internship experiences do not exist for youth at DJS facilities (pages 8, 12)**

The curriculum of our students is supplemented with nationally recognized credentials in high demand fields. For example, all students have access to the WorkReady ACT credentialing from Conover, Inc.,

which prepares students for future employment and increases career-ready skills. However, opportunities for hands-on activities has been limited due to the COVID-19 pandemic.

**Students cannot earn a high school diploma within the MSDE JSES school system (pages 8, 12)**

Students enrolled in a JSES school can receive their Maryland High School Diploma by passing the GED. While students are enrolled in JSES, they are able to meet requirements toward their Maryland High School Diploma. If a student meets requirements while enrolled in a JSES school, the student can receive their high school diploma from their local school system. Over the past five years, 325 students have received their Maryland High School Diplomas either by credit obtainment or through the GED, while enrolled in JSES.

**World of Work Program (page 8)**

The World of Work Program and work-related opportunities for students are often listed under the MSDE education services area of the JJMU report. Work-related programming, including World of Work, is strictly managed by DJS and should not be discussed or related to educational programming. This fact has been stated several times.

**Students are receiving work packets (pages 27, 29, 32)**

The JSES only provides students with work packets in the following situations:

- The student is a newly enrolled JSES student and on quarantine (the packets include supplemental materials for instruction)
- When safety and security purposes require students not have access to a Chromebook or USB drive

A records request for newly enrolled students must be completed and records must be received before students can be enrolled into correct classes. MSDE JSES staff members are not allowed in the quarantined areas.

Currently, the Internet is not available on DJS living units. However, some of the smaller facilities can access Wi-Fi from education areas and in those cases, students receive the live stream. When Internet is unavailable and when students are not in the school building, students receive prerecorded lessons and work that can be completed offline on Chromebooks using thumb drives. All instructional packets and thumb drives are returned to the principal and given to the teachers in order for the teachers to provide feedback and grade the assignments.

**Students are not receiving in-person instruction (pages 3, 12, 24, 27, 29, 32, 35, 40)**

The report continuously states that learning should be in-person for students and staff. During a meeting on June 10, 2020, Dr. Karen Salmon, State Superintendent and Mr. Sam Abed, Secretary of Juvenile Services agreed that JSES teachers should return to schools for in-person instruction. JSES teachers returned to the schools on June 22, 2020, for in-person instruction. However, there was no way of

determining which teacher or school would be affected by COVID-19. Due to the fluctuation of staff and students being infected and/or exposed, administrators developed a plan to deliver instruction that follows the CDC Guidelines. In doing so, JSES has designed a system of instructional delivery that provides quality instruction while maintaining safety guidelines for students and teachers, as well as ensuring that students have access to a highly qualified teacher in every content area every day. In addition, principals have implemented a variety of strategies to help ensure that teachers are actively supporting students. Strategies include but are not limited to:

- daily meeting to communicate concerns and priorities for the day to all staff including student concerns, grading issues, technology challenges, staffing adjustments, professional development reminders, etc.
- regular observation of classrooms by the school principal, teacher supervisor, and instructional coach to ensure that staff are engaging with students, including virtual participation in streaming sessions, physical classroom walkthroughs, informal observations, and monitoring of student participation in the Go Guardian platform;
- teachers are provided with regular time to collaborate and plan to ensure that lessons are engaging and differentiated as needed;
- professional development training is specific and allow sharing of best practices;
- special educators are provided regular case management time to support students receiving special education services in both the physical classroom and virtually when students are on quarantine;
- regular student interviews are conducted by the principal, teacher supervisors, guidance counselors, and special education case managers to ensure student needs are being met and that the instructional staff is responsive;
- student grades and progress are monitored weekly to confirm appropriate progress and/or the identification of needed interventions;
- students are selected for weekly meetings with the principal to discuss support received or needed from teachers during the instructional day;
- review camera footage in the classrooms to ensure active teaching and student interaction; and
- arrange additional support for struggling students with subject area experts in the building.

**Youth face disciplinary consequences through the DJS behavior management system if they are not engaged in virtual course work during the school day (page 3)**

Please reach out to DJS for implementation of the behavior management system during quarantine. As previously stated, JSES is not responsible for behavior management of students through DJS programming.

**There is only one GED testing center and it is located at Hickey, (a DJS detention center for boys located in Baltimore County) where GED eligible JSES students from all DJS-operated detention centers are able to take the test (page 27)**

JSES students are tested at both Green Ridge Youth Facility and Charles H. Hickey School. Due to the current approved hybrid model, testing is only conducted on Tuesdays and Wednesdays. At the request of DJS administration and due to COVID-19 safety policies/protocols, the capacity of testing groups has decreased to adhere to the appropriate social distancing guidelines. Designated test dates and facilities are based on which region of the state each student is placed. In an effort to protect students and staff, students are tested at one facility at a time.

**The physical plant of the school is in disrepair and should undergo a deep clean and renovation (Hickey page 29)**

All concerns related to the physical plant have been reported to DJS administration, as they are in control of the physical plant at all sites.

**MSDE JSES should arrange for all DJS detention centers to offer the GED test to their eligible students & Schools with larger numbers of students (such as BCJJC and CYDC) should be prioritized as testing site hosts (page 36)**

The JSES planned, constructed, and implemented two Pearson VUE approved GED Mobile Labs, allowing the JSES to administer GED within various remote locations. The GED Mobile Lab has the capability to administer all four sections of the GED exam to one tester at a time. The GED Mobile Lab enables JSES GED administrators the ability to test beyond the boundaries of the two GED labs located at the Charles H. Hickey School and Green Ridge Youth Center. The GED Mobile Lab serves as an alternative testing site if either traditional testing site is being updated or are under quarantine.

**Conclusion**

The COVID-19 pandemic has required school districts across the United States to develop new and innovative ways to provide education. The JSES has risen to that challenge in many unique and creative ways. The commitment of the MSDE JSES to provide quality educational opportunities to all students is unwavering. MSDE JSES staff is committed to providing students quality continuity of learning during and after the pandemic. The MSDE JSES will continue to improve and adapt to the changing nature of the pandemic while ensuring that students are continually engaged in high quality instruction.