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OFFICE OF THE ATTORNEY GENERAL  
JUVENILE JUSTICE MONITORING UNIT

**SPECIAL REPORT**  
**CHARLES H. HICKEY JR. SCHOOL**  
**NOVEMBER 2010**

**Facility:** Charles H. Hickey Jr. School  
2400 Cub Hill Road  
Baltimore, Md. 21234  
Superintendent: Mark Hamlett

**Reported by:** Jamaal Stafford and Tanya Suggs

**Subject:** Escape on September 7, 2010

**Persons Interviewed:** Facility Administrators, Direct Care Staff, Dining Hall Employees, Youths, World of Work Program Administrators and Supervisor

**Date of Report:** November 2010

## EXECUTIVE SUMMARY

This Special Report focuses on the escape that occurred at Charles H. Hickey Jr. School (Hickey) in Baltimore, MD on September 7, 2010. Hickey is a secure detention facility owned and operated by the Maryland Department of Juvenile Services (DJS/the Department). The facility serves male youths between ages 12 and 18 and can house up to 72 youths. The facility's grounds are expansive and the physical plant includes four residential cottages: Mandela Hall, Roosevelt Hall, Clinton Hall and Ford Hall.

The escape on September 7 involved two youth who commandeered a Hickey food truck and drove through a barbed-wire security fence. This report includes an examination of the circumstances leading up to the escape.

The investigation revealed that youth were frequently left without direct care staff supervision when they assisted dining hall employees with post-dinner clean up chores. Also, dining hall employees frequently transported youth from the dining hall to residential units in an unsecured food truck – again without direct care staff supervision.

One of the youths who escaped on September 7 had been flagged on DJS records as an AWOL risk less than 3 weeks before the escape. The second escapee had previously AWOLed

from community detention on three separate occasions before his escape from Hickey. The September 7 escape is the second escape from Hickey this year.<sup>1</sup>

## STATEMENT OF FACTS

On September 7, 2010, two youths escaped from Hickey after commandeering a food truck. For purposes of this Report, the two youths will be referred to as youth A and youth B. Youth A is 15 years old and Youth B is 17 years old. Both youths were assigned to the Roosevelt Hall residential cottage at Hickey. On the day of the escape, direct care staff, as well as dining-hall employees, believed that youths A and B were enrolled in the World of Work Program.<sup>2</sup> These youths, however, were not in the program.

To participate in the World of Work Program, youths have to meet strict academic and behavior-related requirements. Youths in the program also have to sign a *Memorandum of Understanding* acknowledging that they understand all conditions and requirements of the Program.<sup>3</sup> Youth who fail to meet requirements can be suspended or terminated from the program.

On September 7, at approximately 4:30 p.m., sixteen Roosevelt Hall youth and three DJS direct care staff (also called Resident Advisers or RAs) entered the dining hall. As the Roosevelt Hall youths finished their dinner, a dining hall employee asked an RA to assign two youths to

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<sup>1</sup> There was a third escape this year involving a youth who absconded en route to Hickey from a hospital visit.

<sup>2</sup> The stated mission of the World of Work Program is to assist youth in realizing their “working potential in a supervised environment” as youth perform “routine maintenance, painting, floor stripping/waxing, and general cleaning [of] the facility.” Youth working in the World of Work Program - according to Hickey’s Facility Operating Procedure (FOP) - are required to be supervised by a World of Work Student Supervisor at all times. Specifically, the FOP provided that all youth participating in the program should be “supervised at all times by the Student Supervisor and . . . not work independently.”

<sup>3</sup> See Charles H. Hickey Jr. School World of Work Program, *Memorandum of Understanding*.

help with cleaning up. The RA selected youth A and youth B to assist the dining hall employees, believing they were a part of the World of Work Program.

At approximately 5:10 p.m., direct care staff left the two youths with a cook and a dietary line server. The remaining youths, along with the direct care staff, went to the nearby gymnasium. After clean up was finished at around 5:45 p.m., the cook transported youth A and youth B to Roosevelt Hall in a food truck. The youths sat next to the cook as passengers on a long bench seat. As the food truck approached Roosevelt Hall, Youth B began to punch the cook in the face repeatedly. The cook stopped the food truck. He tried to grab the keys before jumping out of the vehicle, but was unsuccessful. Youth A jumped out of the passenger side door, entered the driver's side of the food truck, and drove away with Youth B.

The cook did not have a radio or any other means to alert Hickey administration of the take-over of the truck, so he ran to a van post to notify security. Staff at the van post then notified other Hickey staff by radio that the two youths had taken the food truck. The youths careened at high speed across the Hickey grounds and drove the food truck through the security fence. Security personnel at the Gatehouse heard a crash and saw the truck leaving the facility, "doing at least forty-five to fifty miles an hour," with part of the security fence attached to the front of the vehicle.<sup>4</sup>

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<sup>4</sup> DJS Office of the Inspector General Report 10-84979 (October 2010).

A Hickey employee drove off after the food truck. The truck struck his vehicle and he sustained minor injuries. The youths drove through the surrounding residential community causing property damage to four vehicles and several mailboxes. They then abandoned the truck and continued to flee on foot.

Youths A and B were apprehended by law enforcement around 6:13 p.m. on the same day. Youth A was transferred to another juvenile facility and will be charged as a juvenile. Youth B was transferred to an adult facility and will be charged as an adult.

## **FINDINGS**

### **I. DJS Direct Care Staff Should Have Maintained Sight and Sound Supervision of Youth. Direct Care Staff Violated DJS Policy by Leaving Youths with Dining Hall Employees.**

Direct care staff provide the first line of security at all DJS facilities. Duties include escorting youth to locations around the facility and supervising them in housing units, classrooms and at recreation. They are responsible for the safety of youth and other professional staff members that enter the facility. These staff members receive intensive and ongoing training in safety and security techniques. Direct care staff are accountable for the youth under their supervision at all times.

Staff involved here should not have left the two youths who subsequently escaped alone with dining hall employees. Maryland Standard for Juvenile Detention Facilities 5.1.2.2.04 provides that “direct care staff shall regulate all youth movement from one location

to another, including individual and group movement to and from all activities and programs according to written policies and procedures.” By leaving these two youths alone with dining hall employees, direct care staff failed to regulate the movement of these two youths.

## II. Direct Care Staff Were Not Informed About Which Youths Were In the World Of Work Program.

On the day of the escape, no youths were assigned to the World of Work Program. Youths A and B had been prohibited from participating in the World of Work Program before the escape. However, lack of appropriate internal communication at Hickey resulted in direct care staff mistakenly believing the two youths were still in the World of Work Program.

The World of Work administrators informed the World of Work Student Supervisor about the status of youths A and B, but did not inform the direct care staff. Following the escape, World of Work administrators amended their operating procedures to require that the status of youth in the program be disseminated to a variety of staff throughout Hickey.

## III. Youths Should Never Be Transported in an Unsecured Vehicle.

Youth should never be transported in an unsecured vehicle. Youth A had been deemed an AWOL risk by DJS because of an AWOL from a residential placement facility. Youth B had AWOL'd from community detention on three separate occasions before the escape at Hickey. It is hard to understand why these two youths were transported in a vehicle that did not have a barrier between the driver and the youths, why the cook who was driving the truck had no back-up from direct care staff, and why the youths were not placed in handcuffs.

Maryland Standard for Juvenile Detention Facilities 5.1.2.2.05 provides that “guidelines for transporting youth shall emphasize security and safety.” The lack of security and supervision while these two youths were being transported created an opportunity for them to commandeer the food truck and escape the facility.

Before the escape, it was common for youth to be transported in the food truck at Hickey. According to nearly every staff person interviewed, lone dining hall employees frequently drove youths back to their units in the food truck if no direct care staff was available to walk the youths back to their units.

#### IV. Roosevelt Hall’s Logbook Failed to Outline Clearly the Location and Number of Youths Assigned to the Unit.

Some of the deficiencies discovered in Roosevelt Hall’s Logbook on the day of the escape include:

- 1) Failure to document the number of youths present every 30 minutes;
- 2) Discrepancies regarding the number and location of youth between 2.00 pm and 6.00 pm; and
- 3) Failure to note the return of youth and staff to the unit.

Keeping track of both the number and location of youths assigned to the unit is critical. In this instance, proper documentation in the logs might have alerted supervisors to the fact that Youths A and B were left in the dining hall without direct care supervision. Proper documentation also serves to reconstruct security failures for future reference and training.

V. DJS's Office of the Inspector General (DJS-OIG) Report.

Immediately following the escape, the DJS-OIG began an investigation and concluded that Hickey staff did not violate any DJS policy. The investigation found “insufficient evidence to either prove or disprove an act of misconduct on the part of Staff regarding the students being able to escape from CHHJS[Hickey].”

The DJS-OIG Report did not address the DJS policy cited above which mandates that youth must always be supervised by DJS direct care staffers.

The DJS-OIG Report includes a recommendation that administrators at Hickey “[d]evelop training guidelines to ensure that youth are appropriately transported in a transport vehicle.” However, the DJS-OIG report did not stipulate that youth should be transported only with direct care staff supervision and in secure vehicles with a barrier between the youth and the driver.

The DJS-OIG Report does not address the failure to properly document the Roosevelt Hall Logbook. Logbook entries are essential to security. They contain counts, locations and any restrictions on youth or concerns of staff.

## **CONCLUSION**

When direct care staff left two youths alone with dining hall employees, a chain of events was set in motion that created an opportunity for escape.

Hickey administrators should ensure direct care staff supervision of all youth at all times. They should strengthen policies to assure properly supervised transportation of youth inside the Hickey security fence.

## **RECOMMENDATIONS**

1. All DJS direct care staff, as well as facility administrators, should be retrained on the importance of ensuring that youth are supervised by direct care staff at all times.
2. Youths should only be transported in secure vehicles.
3. All DJS employees must have radios and should have distress alarms.
4. Direct care staff at Hickey should be retrained in accurately documenting counts of youth in unit logbooks every 30 minutes.

## APPLICABLE STANDARDS

### General

**Maryland Standards for Juvenile Detention Facilities 1.6 Policy and Procedure Manuals:** Policies and procedures for operating and maintaining each detention facility shall be specified in a manual that is accessible to all employees. All employees shall be trained and shall be familiar with all policies that affect their work. This manual shall be reviewed annually and updated as needed.

**Maryland Standards for Juvenile Detention Facilities 3.3.4 Legal History:** The Admissions Officer shall perform a search of the ASSIST database to obtain all previously known information on the youth.

### Security

#### **Maryland Standards for Juvenile Detention Facilities 5.1.2 Secure settings**

**5.1.2.1 Living arrangements:** With primary consideration given to safety and security, normal living arrangement should be established and conform, as near as possible, to those conditions provided in non-secure facilities.

**5.1.2.2 Security:** Security refers to the provision of staff and resident safety and to the prevention of escape from the facility. Security shall also include measures to prevent persons from entering the facility or grounds illegally. Means to ensure security shall consist of physical features of the building and grounds, policy and procedures, and staffing arrangements.

**5.1.2.2.01:** An official daily movement roster listing the names of youth and identification numbers of assigned youth, along with housing locations, youth received and youth releases/transferred shall be developed and maintained. There shall be documentation to demonstrate room assignments.

**5.1.2.2.02:** Direct care staff shall maintain a permanent log and prepare shift reports that record routine information, emergency situations, and unusual incidents. Entries shall be noted by date, time and initialed by staff.

**5.1.2.2.04:** Direct care staff shall regulate all youth movement from one location to another, including individual and group movement to and from all activities and programs according to written policies and procedures.

**5.1.2.2.05:** Guidelines for transporting youth shall emphasize security and safety and shall be made available to all personnel involved in transporting youth.

## Staffing

**Maryland Standards for Juvenile Detention Facilities 5.1.3 Staffing:** Staffing arrangements shall aim to provide a safe, humane, and caring environment. Youth to staff ratios developed by the Department shall ensure adequate supervision of youth. The allocation, deployment and assignment of resources/personnel to each facility shall be based on: 1. the budgeted population operating capacity; 2. the level of risk and needs of the population; 3. facility programs and services; and 4. physical plant architecture. Staff to youth ratios shall not be generalized, but rather based on facility design and age, activity and program level and other related factors.

**5.1.3.1 Staffing Plan:** Each facility shall develop a staffing plan consistent with policy and procedures governing staff ratio to youth which shall be reviewed and reassessed annually consistent with changes in population, facilities, activities and services.

## Youth Movement

### **DJS Youth Movement and Counts, Policy Number RF-02-06, (Effective January 17, 2006):**

**Policy.** Department of Juvenile Services (DJS) employees shall take youth counts to ensure the safety and security of youth, employees and the public to ensure accountability of youth at all times. Accountability and control of youth movement shall be a primary and critical security function. Each facility shall ensure the security of a facility by conducting counts of the population and by implementing procedures to regulate and control youth movement within the facility and during authorized movement outside the facility. Designated employees shall maintain awareness of the whereabouts of all youth assigned to the facility and provide documentation.

**Definitions.** Official Count means a physical count of youth conducted by security staff at a designated time. All movement of youth is stopped during an official count. Official counts are of the entire facility and are reported to the security office (or designated location) for comparison to the master count.

### **Procedures.**

(1) Each Facility Administrator will ensure that an official count of all youth in residence occurs daily at 2:00 AM. This count must be called into Headquarters by 8:00 AM daily.

(2) Each Facility Administrator will ensure that a physical count is taken, at minimum, every 30 minutes. At the direction of the Facility Administrator, a physical count may be taken more often than every 30 minutes based on need, size of facility or other circumstances as articulated in the FOP.

(3) The Resident Advisor shall conduct counts every 30 minutes and call the count into the Command Control Center/Master Control/Tour Office. The count must be logged into the unit logbook within 15 minutes of the count.

#### Control of Youth Movement.

(1) Youth will not be allowed to move freely without the direct supervision of a designated facility employee.

#### **Records and Documentation.**

(1) All employees shall read and initial the logbook, noting the count at the start of each shift.

(2) All counts will be recorded in the unit logbook and called into the Command Control Center/Master Control/Tour Office.

(3) Counts recorded in the logbook shall include:

- (i) Time of the count;
- (ii) The count itself;
- (iii) Name(s) of employees performing count;
- (iv) Location of groups of youth (library, class, outside area); and
- (v) Youth outside of the location where the count is occurring.

#### **Charles H. Hickey Jr. School Facility Operating Procedure - Effective 3-25-10**

1) Informal counts shall be conducted at least every 30 minutes and after any movement of youth from one area to another. Informal counts will be recorded in the unit logbook.

2) **Resident Advisors Shall:**

- a. Conduct a physical head count prior to movement and transmit the movement along with the number of youth and staff to the Shift Commander, Master Control, and the Gatehouse for authorization.
- b. Document in the logbook whenever a youth has been taken from one location to another.

3) **Monitoring:** The Assistant Facility Administrator will have primary responsibility for ensuring compliance with this operating procedure.

## Charles H. Hickey Jr. School Facility Operating Procedure: Procedure for Escape or Attempt to Escape Prevention Response Plan - Effective 7-22-09

**Purpose:** To provide a systematic response to an attempt to escape or a successful escape from the Charles H. Hickey Jr. School. The Charles H. Hickey Jr. School Escape or Attempt to Escape Prevention Response Plan will ensure swift action by staff and that all required notifications will be made in a timely manner.

**Procedures:** The Department maintains a position of zero tolerance for attempted escapes or escapes. Appropriate levels of supervision, staff vigilance, staff postings, and proper building maintenance are all important considerations in preventing escapes. It is critical that staff know the exact number and location of all youth whom they are assigned to supervise at all times. Staff must be alert to escape risk, not become complacent, and monitor youth(s) for actions which could potentially lead to an attempted escape or a successful escape, at all times.

**Responding to an attempted escape:** 1) Assistant Superintendents and Superintendent must be notified within five minutes of the attempted escape. State police must be notified within five minutes.

### **Master Control:**

- 1) Master control will immediately notify the primary law enforcement agency and inform them that a youth is missing and provide them with pertinent information. And activate community alert.
- 2) Within five minutes of an escape you are to notify the superintendent and assistants.
- 3) The Superintendent will contact the Assistant Secretary of the Department and the Office of the Inspector General and activate City Watch.

## World of Work Program at Charles H. Hickey Jr. School

The following is the required criteria for all CHHJS (Charles H. Hickey Jr. School) students participating in the World of Work Program:

- I. All participants must hold a certificate of completion for a Maryland Standard High School Diploma or Maryland GED. All other participants must be approved by the Facility administrator.
- II. All participants must meet the terms of the CHHJS Behavior Management System and comply with the unit norms for satisfactory behavior.
- III. All participants must meet with Ms. Slechter, Ms. Hanges, and Mr. Burke to determine guidelines for employment, wage information, timesheet procedures and type/area of employment.
- IV. Weekly reviews will be held in the Employment Coordinator's Office in order to determine compliance, eligibility, and address issues or concerns related to the student's employment.

- V. A Student Evaluation Form will be maintained in the Employment Coordinator's Office to ensure weekly meetings and follow-up.
- VI. Strict adherence to these procedures must be maintained in order to qualify for participation in this program. Termination from or a three (3) day suspension will result when the World of Work guidelines are not met. Termination or suspension will be determined after meeting with the Employment Coordinator, Student Supervisor. A final ruling will be given by the Facility Administrator.