



**JUVENILE JUSTICE MONITORING UNIT
STATE OF MARYLAND**

2022 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 unannounced visits to these sites to guard against abuse and ensure youth receive appropriate treatment and services.

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

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

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

JJMU First Quarter 2022 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 2022 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 2022 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

May 2022

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

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

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

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 2022 first quarter report which offers an update on conditions in Department of Juvenile Services' (DJS) operated and licensed facilities.

An outbreak of a COVID-19 variant which swept through DJS facilities in late-2021 and continued during the first quarter of 2022 has started to abate and facility operations in the DJS system as a whole have slowly been returning to pre-COVID levels, but achieving full staffing across the board continues to be a challenge. In-person visitation and education services have

resumed, contact sports are allowed, and youth are no longer required to wear masks. However, (and while the threats to youth physical and psychological health posed by the COVID-19 pandemic have lessened for the time being), incarceration itself can be inherently harmful to the safety and development of young people. (Please see the COVID-19 RESPONSE AND JUVENILE JUSTICE REFORM section of this report for more information.)

Additionally, there continues to be deterioration in facility culture in the three larger DJS detention facilities and this issue is especially acute at Cheltenham Youth Detention Center (CYDC/Cheltenham). Staffing shortages at CYDC continued to persist throughout the first quarter of 2022 which negatively affected operations. Youth were required to spend over 32 hours locked in their cells for two weekends due to staffing shortages at CYDC. On other days, youth were allowed out of their cells for only for a few hours at a time because the same facility could not maintain adequate youth to staff ratios. The staffing problems contributed to an unstable facility milieu. At time of writing (late April, 2022), Cheltenham continues to lack permanent and capable leadership that is able to both establish structure and positively engage youth and staff. (For more detail, see the Cheltenham facility report and the COVID-19 RESPONSE AND JUVENILE JUSTICE REFORM sections of this document.)

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 2022 FIRST QUARTER REPORT

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COVID-19 RESPONSE AND JUVENILE JUSTICE REFORM

COVID-19 RESPONSE AND JUVENILE JUSTICE REFORM

There was an outbreak of COVID-19 beginning in December of 2021 and continuing through most of January of 2022 across all DJS facilities. A highly contagious variant of the virus was thought to have contributed to a rash of youth and staff infections. Fifty youth and 220 staff tested positive for COVID-19 in the first quarter of 2022. Staffing issues plagued both detention and placement centers due to the widespread nature of the outbreak.

The COVID-19 outbreak caused significant psychological and physical hardship for incarcerated young people. Most youth had to spend significant time in quarantine confined to their living unit due to continuous exposure to COVID-19 from staff. COVID-19 positive youth were isolated inside cells for several days. Popular ways to pass time and stay healthy including contact sports such as basketball were prohibited, and low staffing levels made it difficult to plan alternate arrangements to help keep youth positively stimulated. School services were also abruptly disrupted and shifted from on-site, in-person instruction to packet work initially, and then, in February of 2022, to virtual education for those students who had access to the internet.

In-person visitation was halted and youth were cut off from seeing their families during and immediately following the holidays which further heightened youths' feelings of loneliness and stress. While officials at DJS Headquarters in charge of facility operations authorized more phone calls home during periods of free time so that youth could stay connected to loved ones during the stressful period, this increased allowance was at the discretion of individual detention and placement centers and was not consistently provided to youth at most facilities. Youth reported to monitors feelings of sadness, anxiety, and restlessness during these difficult weeks and most facilities had sizeable increases in incidents of aggression, restraints, and seclusion.

The deterioration in facility culture was especially acute at Cheltenham Youth Detention Center (CYDC/Cheltenham). Staffing shortages at CYDC continued to persist throughout the first quarter of 2022 which negatively affected operations. Youth were required to spend over 32 hours locked in their cells for two weekends due to staffing shortages at CYDC. On other days, youth were allowed out of their cells for only for a few hours at a time because the same facility could not maintain adequate youth to staff ratios. The staffing problems contributed to an unstable facility milieu. At time of writing (late April, 2022), Cheltenham continues to lack permanent and capable leadership that is able to both establish structure and positively engage youth and staff.

As the recent outbreak has started to abate and COVID-19 case rates across the state have declined, facility operations in the DJS system as a whole have slowly been returning to pre-COVID levels, but achieving full staffing across the board continues to be a challenge. In-person visitation and education services have resumed, contact sports are allowed, and youth

are no longer are required to wear masks. However, (and while the threats to youth physical and psychological health posed by the COVID-19 pandemic have lessened for the time being), incarceration itself can be inherently harmful to the safety and development of young people.

Some youth suffered serious physical injury while detained throughout the first third of 2022 including during the following incidents:

- In Incident 170111, a youth at Hickey was assaulted by a group of peers on his living unit and had to be sent to a hospital emergency room due to an orbital bone fracture and severe swelling to his face and eye.
- In Incident 170143, several youth on a living unit in the detention component at the Baltimore City Juvenile Justice Center (BCJJC) attacked a youth from behind and the injured youth fell to the floor. The group then began to stomp on the youth's head and face and hit him with trash cans and bins located on the unit. As a result of the assault, the youth had multiple teeth cracked or knocked out, and also suffered swelling to his head, face and eyes, as well as a split lip.
- In Incident 169459, a kid at Cheltenham was punched in the face by two youth on his living unit and fell the floor and was then kicked in the face and body by the same youths. The victim received a black eye and busted lip. The boy was also assaulted by other youth and on several other occasions during his stay at the facility (Incidents 169965, 169783, 169782). The child reported feeling unsafe and was moved (on a number of occasions) to different living units at CYDC, in an effort to protect him from assault.

In addition to the potential for bodily harm, research indicates that incarceration can have negative long term impacts for young people. According to experts in adolescent health, “the small existing literature on longitudinal health effects of youth incarceration suggests that any incarceration during adolescence or young adulthood is associated with worse general health, severe functional limitations, stress-related illnesses, such as hypertension, and higher rates of overweight and obesity during adulthood.”¹ Juvenile incarceration is also associated with increased recidivism, worse behavioral and mental health, poor academic progress, and reduced likelihood of success in the labor market.²

¹ Barnert E.S., Dudovitz R., Nelson B.B. How does incarcerating young people affect their adult health outcomes? *Pediatrics*. 2017;139 (2), available at: [How Does Incarcerating Young People Affect Their Adult Health Outcomes? - PMC \(nih.gov\)](#)

² Justice Policy Institute, Barry Holman and Jason Ziedenberg, *The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities* (2006), available at: [JPI008-DODPB_Print.indd \(justicepolicy.org\)](#)

Passage of substantive and comprehensive juvenile justice reform in Maryland during the 2022 legislative session (SB 691/HB 459) will protect many young people from being exposed to the short- and long-term hazards of confinement. Among other positive changes, the law will prevent some kids (13 and younger) from justice system involvement (which is associated with negative outcomes for children) and will reduce over-reliance on out-of-home detention and placement for those justice-involved young people who pose less of a risk to public safety and can be better served by community supports and interventions.³ The law should result in lower incarcerated youth populations which can help make detention and placement facilities safer and better equip the Department in efforts to provide more individualized services to youth in custody.

³ For more information on the juvenile justice reform bill in Maryland and other related legislation, see DJS State Advisory Board Legislative Update, available at: [DJS State Advisory Board – Legislative Update \(maryland.gov\)](https://www.maryland.gov/djs/state-advisory-board-legislative-update)

DJS Secure Detention Centers

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

Post-disposition

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

Incident and Population Trends

First quarter 2022 population and incident trends versus first quarter of 2021:

- ✓ Average daily population (ADP) of youth decreased at Noyes detention center.⁴
 - ✓ Youth on youth fights and assaults decreased in committed placement at Cullen.
 - ✓ Physical restraints decreased in committed placement at Cullen.
 - ✓ The use of mechanical restraints (handcuffs and/or leg irons) inside facilities decreased in committed placement at Cullen and inside the two youth centers.
 - ✓ The use of seclusion decreased in secure detention at Waxter and in committed placement at Cullen.
-
- Average daily population (ADP) of youth increased at all DJS-operated detention centers except for Noyes and at all DJS-operated committed placement centers compared to the same period in 2021.
 - Physical restraints increased at all secure detention centers and in committed placement at the two youth centers and SOA.
 - Mechanical restraints usage inside facilities increased at all secure detention centers.
 - Seclusions increased at all secure detention centers except for Waxter.
 - There were 37 incidents involving suicide ideation, 1 suicide attempt, and 8 incidents of self-injurious behavior at DJS-operated facilities during the first quarter of 2022.

⁴ Noyes was closed in January and February of 2022 and re-opened in March of 2022 as an all-girls detention center. Noyes is not included in incident trends on youth fights and assaults, physical restraints, and use of mechanical restraints and seclusion.

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. Black youth represented 88% of total youth entries during the first quarter of 2022, compared to 85% during the same time period in 2021.

BCJJC – Selected Incident Categories	Q1 2020	Q1 2021	Q1 2022
Average Daily Population (ADP)	76	38	58
1. Youth on Youth Assault/Fight	88	32	52
2. Alleged Youth on Staff Assault	2	9	3
3. Physical Restraint	95	59	61
4. Use of Handcuffs and/or Shackles	14	20	21
5. Seclusion	9	16	17
6. Contraband	10	6	4
7. Suicide Ideation	3	3	4
8. Suicide Attempt	0	0	1
9. Self-Injurious Behavior	2	0	0

Average daily population (ADP) at BCJJC during the first quarter of 2022 increased by 53% when compared to the same time last year while youth on youth fights and assaults increased by 63%. Additionally, when comparing the two time periods, there were upticks in

physical restraints of youth by staff, in the use of mechanical restraints (handcuffs and/or shackles) on youth inside the detention facility and in the use of seclusion.

Safety, Supervision, and Positive Youth Engagement

Lapses in supervision and security protocols and the prolongation of youth boredom (driven by a lack of available constructive activities) continued to contribute to incidents at BCJJC during the first quarter of 2022.

In Incident 170124, workers in facility master control unlocked the doors to a unit containing youth and staff even though youth and staff from another unit were not yet locked in their home unit. Some youth were able to run out of their unlocked unit and instigate a fight with youth from the other unit who were standing in the hallway.

In another incident that occurred during the quarter, management became aware of unauthorized computer use by youth and an investigation was initiated by the Department's internal investigation unit (Office of Inspector General [DJS OIG]). Video review showed that four youth entered a case manager's office and were left unsupervised. The four youth could be seen using the case manager's computer. Images and video of the four youth inside BCJJC appeared on social media as a result of the events during this incident. Video review also revealed that some youth were left unsupervised in case management offices on at least two other occasions.

Youth reported feelings of persistent boredom and a lack of positive stimulating activities throughout the quarter. One youth remarked during a monitoring visit that, "we fight because we have nothing to do". Another youth reported that the only unit activity at BCJJC is watching old movies over and over again. In Grievance 17401, a youth reported to the DJS child advocate that "there should be more for us to do." Administrators need to exert more attention and effort to creating programming that can help keep youth constructively occupied.

BCJJC has an arcade room that remains under-utilized because it is only provided on a weekly basis for the small number of youth who maintain consistently positive behavior or during periods of extended holidays from school. On one recent weekend, only 11 of 61 youth were allowed access to the room. Opening up the game room as a structured activity on weekends would help alleviate some of the boredom youth experience due to the dearth of activities at the facility.

Basic Needs and Physical Plant

Administrators should prioritize a habitable living space for youth and ensure they are providing for incarcerated young people's basic needs. Youth and staff reported rodents and roaches on youth living units during a monitoring visit in the first quarter, and a roach was observed on the bathroom floor during a monitoring visit (see picture below). Youth also reported

that they were not provided with adequate amounts of body wash and resorted to storing hand soap in water bottles to have enough soap to use while showering.



Education

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

Due to an outbreak of COVID-19 across DJS facilities in the first quarter of 2022, school services were heavily disrupted. Throughout January of 2022, students were provided packets to do on their own during school hours. Students expressed frustration on several fronts with packet work, including the following:

- Packets were not aligned to the grade level and classes in which the student was enrolled
- Packets were a repeat of the same information previously learned and not academically challenging
- Packets were difficult to complete without assistance from education personnel.

Virtual education was implemented in February and ran through early March of 2022. Roll-out of the virtual platform was fraught with delays and difficulties. Students reported:

- Difficulty logging on to the system
- Teachers not being present for classes when students were logged in
- Accommodations not being provided for special education students with an Individualized Education Program (IEP).

In-person instruction resumed in March of 2022. Enhanced mental health involvement during school hours can aid in providing a more stable school environment. In Incident 170059 a fight broke out in a classroom during a monitoring visit and a youth involved indicated that he needed to be on medication for his behavior. The monitor requested an immediate mental health consult for the child, however it took 30 minutes for the clinician to respond to the request even though the youth was in a crisis situation.

DJS administrators should collaborate with mental health service providers at BCJJC to provide timely crisis intervention and trauma-informed care. There should be designated mental health clinicians who are integrated into school operations and located in close proximity to (or ideally, within) the school premises to help direct-care staff and education staff in de-escalation, to assist with stabilizing students in crisis, and to routinely support youth during the school day so that they can be mentally equipped to engage in learning inside the classroom.

Due to difficulty BCJJC has had in managing group dynamics during school hours, DJS administrators require certain groups to remain on their living unit during the school day. These students are provided with packets to do on their own as a substitute for classroom instruction. Students prohibited from travelling to school by administration should be provided with a teacher on their living unit to guide instruction.

For more information on education in DJS facilities, see the MSDE JSES section of this report which begins on page 36.

Cheltenham Youth Detention Center

Cheltenham Youth Detention Center (CYDC/Cheltenham), located in Prince George’s County, is a hardware secure (locked and fenced) detention center owned and operated by the Department of Juvenile Services (DJS/the Department). The DJS-rated housing capacity is 72 boys. Black youth represented 76% of total youth entries in the first quarters of both 2022 and 2021. Hispanic/Latino youth represented 16% of entries during the first quarters of both 2022 and 2021.

CYDC– Selected Incident Categories	Q1 2020	Q1 2021	Q1 2022
Average Daily Population (ADP)	57	32	38
1. Youth on Youth Assault/Fight	53	11	30
2. Alleged Youth on Staff Assault	2	2	10
3. Physical Restraint	76	18	73
4. Use of Handcuffs and/or Shackles	2	0	13
5. Seclusion	2	1	38 ⁵
6. Contraband	3	5	4
7. Suicide Ideation	4	2	9
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	5	1	6

⁵ Seclusion numbers do not reflect times when COVID-19 positive youth were on medical isolation or times when youth were required to remain in their cells due to low staffing levels at the facility.

Incidents at Cheltenham were high in the first quarter of 2022.

Average daily population in the first quarter of 2022 increased by 19% when compared to the first quarter of 2021. Comparing the same time periods, youth fights and assaults nearly tripled and physical restraints of youth by staff more than quadrupled, incidents involving suicide ideation increased by 350%. Incidents involving self-injurious behavior and those involving the use of mechanical restraints (handcuffs and/or leg irons) on youth inside the facility also increased substantially – as did the use of seclusion compared to the first quarter of 2021.

As can be seen in the incident chart, mechanical restraints were not used inside the facility during the first quarter of 2021 while there were 13 instances of mechanical use on young people inside the facility during the first quarter of 2022. The utilization of seclusion increased from one instance to 38 instances when comparing the same time periods.

Chronic staffing issues combined with a lack of constructive programming to keep youth engaged contributed to an unstable, unstructured, and often times chaotic milieu at the Cheltenham facility during the reporting period. Excessive periods of youth confinement to living units and cells due to available staff shortages negatively affected the mental health and behavior of young people, and the facility had difficulty managing individual and group dynamics throughout the first quarter of 2022 (as well as during the last quarter of 2021).

Staffing Concerns

Cheltenham lost several experienced staff in late 2021 and early 2022 and staffing shortages due to various factors including widespread infection were persistent throughout the first quarter of 2022.

Youth were required to spend over 32 hours locked in their cells for two weekends in March due to staffing shortages. Young people on one living unit wrote grievances complaining that they were not provided with drinking water or with their snack allotment while in de facto solitary confinement (Grievance 17435). The prolonged isolation exacerbated the mental health conditions of vulnerable youth. In Incident 169850, a youth expressed suicide ideation while in isolation. In Incident 169912, a youth used his hair brush to break the window of his cell while in isolation and later that evening ran out of his cell as soon as his door was opened to provide him with medication (Incident 169914). In Incident 169958, two youth in cells during the lockdown requested to be let out of their rooms but were informed that there were not enough staff to permit them to do so. When their lunch trays arrived and their cell doors were briefly open, they ran out and began running around the living unit. Mental health personnel later met with the youth to debrief with them, and they informed the clinician that they had been denied water and access to grievance forms while locked in their cells. In the mental health assessment, the mental health professional wrote: "It is recommended that youth are not locked in their rooms for periods of time exceeding 12 hours".

Immediately following the first weekend lockdown, youth were let out of their cells on a Monday morning and their cells were searched. During the search, snacks, extra books (Grievance 17414) and stress balls provided to youth by direct-care workers and mental health staff to help relieve anxiety during their extended confinement were confiscated. Youth were told these items were considered contraband and a safety and security risk. The young people reported to mental health staff that they were upset and demoralized, and felt that they were being treated unfairly. Some vulnerable youth became further de-stabilized. One youth who struggled mentally during prolonged cell confinement (Incident 169850) drank hand sanitizer mixed with juice while on suicide watch on the day he was released from confinement (when cell searches were conducted) [Incident 169862]. He was taken to the hospital for evaluation and treatment. Privileging punitive enforcement of arbitrary rules over humane and therapeutic treatment and services for young people undermines youth well-being and can exacerbate behavioral and mental health conditions.

Outside of the weekend lockdowns, youth had times throughout the first quarter when they had to take turns coming out of their cells because the facility could not maintain adequate youth to staff ratios. Oftentimes there was one staffer responsible for monitoring a unit of over six youth alone, and staffers reported to the monitor that they were afraid that staff assistance would not arrive in time should an altercation take place due to staffing shortages. In Incident 170036, one female staffer was supervising a unit when a youth was assaulted by four other youth on the unit. Per DJS policy, the staffer could not physically respond to the assault until staff assistance arrived since she was the sole staffer on the unit. It took two minutes for staff assistance to arrive during which time the youth was kicked in the head several times. He had swelling on his forehead as a result of the assault.

The facility struggled to maintain order and staff often had to respond to multiple incidents per day.

In Incident 169500, youth in the gym repeatedly pressed on the button of a back door to gain access to the rear of the facility where the football field and track were located (an area of the facility which rarely gets utilized and continues to be virtually unused at time of writing in April of 2022). On this occasion, workers at facility master control opened the door and kids ran onto the football field.

In Incident 169965, two (inexperienced) female staffers were supervising a living unit when several youth began assaulting another youth (Incident 169965). The staffers did not physically intervene to separate the youth from one another and instead tried to direct the kids away from each other using verbal directives. Staff assistance took a full minute to arrive and then physically separate the youth.

In Incident 169890, there was a group altercation in the school and staffers accidentally closed a door while a youth's fingers were inside of the door jamb in their efforts to contain the fight. The youth required emergency surgery to save use of his fingers.

Cheltenham administrators and staff were especially challenged when it came to implementing effective individualized supervision and care plans to assist youth with high behavioral and mental health needs.

Prior to Incident 169997, a youth was being supervised by one staff person on the unit. The staffer did not maintain continuous visual supervision of the youth, and the youth was able to purposely spill a juice carton filled with a mixture of his urine and feces under the door of another youth's cell. When the rest of the youth from the unit returned, the youth whose cell had been targeted entered his cell and upon discovering the feces and urine, he became distraught and began throwing furniture to try to break the window of the living unit's TV room. According to the incident report, the youth was physically restrained and placed in his cell (Incident 169997).

The same two youth involved in Incident 169997 (detailed above) were separately involved in two other incidents on their living unit during the same week as Incident 169997 occurred. In Incident 169947, one of the youth became agitated with his case manager and broke a staff phone and threw trash on the floor. The youth was restrained and placed in seclusion. Later that day, in Incident 169933, the other youth on the unit (who was involved in Incident 19997) reported that he wanted to speak to the shift commander on duty. The staffer told the youth he had to wait as the staff phone was broken during Incident 169947. The youth became agitated and tore down posters on the walls and threw trash around the unit. He was restrained and placed in seclusion.

Incidents 169976 and 170042 involved a youth who had poor impulse control and emotional regulation skills. In Incident 169976, the youth attempted to go to outdoor recreation with his slippers on rather than his sneakers. Staff directed the youth to put on his sneakers. The youth put on his sneakers and threw his slippers in the air. Staff told the youth that since the youth threw his slippers in the air, he had to stay inside. The youth became highly agitated and tipped over a trash can then went inside the unit TV room and began throwing a water cooler and chairs against a window. The youth was eventually placed in seclusion. In Incident 170042, an administrator was trying to verbally de-escalate with the same youth after he was involved in instigating a group assault. The youth punched the administrator in the eye. The youth was transferred to a different DJS detention facility.

In Incident 170013, a staffer arrived on a living unit to escort a youth to medical after the child reported that he had ingested hand sanitizer. The youth refused to go to medical and staff told him to go to his cell. The youth refused to go to his cell and began running around the living unit. The youth was restrained and placed in seclusion. While locked in his cell, he

began kicking the door, screaming and urinating on the floor.

Keeping youth constructively engaged could have prevented acting out behaviors in some youth and mitigated some of the deleterious behavioral and mental health effects of frequent cell confinement. However, administrators, supervisors and line staff were not proactive in making use of facility resources to help youth cope with stressful conditions. Cheltenham has a large field in the back of the facility with a track, football field, and basketball court. In addition, outside exercise equipment was installed in 2021- ostensibly for youth use. In practice, this area rarely gets utilized and remained unused so far in 2022. A weight room equipped with weight machines, a treadmill and step machines was also available inside the facility last year, and yet remains unused. Youth requests to use this room were consistently denied, with administrators citing the lack of staffing to supervise youth use as the reason. The weight room remains unused as of late March of 2022 even as staffing levels have begun to improve. During the quarter, a youth asked a monitor if more staff could be hired at the facility "so that we can actually do stuff."

Watching movies was the main form of activity available to youth to ease boredom, yet even this passive activity was not properly managed and the incarcerated young people are stuck having to watch the same movies over and over and many DVDs were reported to be scratched. Youth frequently request more movies to watch and to have consistent access to video games on living units to help them pass time but reported that Cheltenham administrators are generally unresponsive to their requests.

New admissions were capped in mid-March of 2022 and several youth at Cheltenham were transported to other detention centers to reduce the population and provide the facility time to stabilize and replenish staffing levels. The reduction in population has helped improve conditions at the facility. However, the facility still lacks permanent and effective leadership that is able to establish safety and structure and foster positive youth engagement through interactive and meaningful programming.

At time of writing (April of 2022), girls who had been housed at the Noyes detention facility were moved to a unit at Cheltenham because of a fire incident that occurred at Noyes in early April (Incident 170217).

Education

Education services were severely disrupted throughout the first quarter of 2022, and students at Cheltenham spent a large portion of their time having to do packets of schoolwork on their own instead of attending virtual or in-person classes. Disruptions were due in part to the following:

Extended periods of quarantine: Youth remained on quarantine and confined to living units (which lack internet access) throughout January and part of February of 2022 due to a COVID-

19 outbreak. During periods of quarantine, students were provided with packets of schoolwork to do on their own.

Staff shortages: On non-quarantine days, staffing issues prevented units from traveling to school for in-person or even virtual education on multiple occasions throughout the quarter. These situations occurred due to lack of staff to escort youth to school and to supervise youth while in classrooms.

Difficulty managing youth behavior: Due to difficulty in managing group dynamics during school hours, Cheltenham administrators required youth on some units to alternate going to school at various times throughout the third quarter of 2022. The alternating school schedule persisted for over a week at a time for some units (causing many students to miss substantial class time). During periods when they are not in classes during school days, students were provided with packets of schoolwork to complete on their own. A youth (referring to his motivation to engage in academics), told a monitor that “it’s just not worth trying anymore” (due to the frequent disruptions in the school schedule).

Students prohibited from travelling to school by administration due the facility’s inability to maintain safety should be provided with a teacher on the unit to guide instruction.

The school at Cheltenham only has one guidance counselor to provide services to students even though it is one of the three largest facilities within the DJS secure detention system. An additional guidance counselor should be recruited or transferred to Cheltenham to better serve the student population there.

For more information on education, see page 36.

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. Black youth accounted for 76% of entries in the first quarter of 2022, compared to 75% during the first quarter of 2021. Hispanic youth accounted for 13% of entries in the first quarter of 2022.

Hickey – Selected Incident Categories	Q1 2020	Q1 2021	Q1 2022
Average Daily Population (ADP)	50	32	41
1. Youth on Youth Assault/Fight	59	11	44
2. Alleged Youth on Staff Assault	5	2	1
3. Physical Restraint	64	8	47
4. Use of Handcuffs and/or Shackles	7	0	13
5. Seclusion	8	1	12
6. Contraband	5	3	3
7. Suicide Ideation	7	3	2
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	1	0	0

Average daily population (ADP) at Hickey in the first quarter of 2022 increased by 28% compared to the first quarter of 2021. Comparing the same time periods, youth fights or assaults increased by 300% and physical restraints of youth by staff increased by 488%. The use of seclusion and mechanical restraints (handcuffs/leg irons) on youth within the facility also increased substantially during the first quarter of 2022.

Persistent downtime and a lack of activities after school and on weekends have been ongoing issues throughout the COVID-19 pandemic at Hickey and other DJS-operated facilities. During a monitoring visit in the first quarter, youth reported watching the same movie five times one weekend to pass time. Hickey is under a new administration as of March of 2022, and the new management has begun to make efforts to increase programming and incentives for young people at the facility as components of an effort to improve overall safety and operational structure for youth and staff.

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

For more information on education in DJS facilities, see the MSDE JSES section of this report which begins on page 36.

Thomas J.S. Waxter Children’s Center (CLOSURE)

The Thomas J.S. Waxter Children’s Center (Waxter) in Anne Arundel County was a hardware secure (locked and fenced) detention center for girls. Waxter was operated by the Department of Juvenile Services (DJS/the Department) and had a DJS-rated housing capacity of 32 girls. The facility closed in March of 2022. Black girls represented 65% of youth entries during the first quarter of 2022 compared to 74% in the first quarter of 2021.

Waxter – Selected Incident Categories	Q1 2020	Q1 2021	Q1 2022
Average Daily Population (ADP)	28	10	11
1. Youth on Youth Assault/Fight	16	3	5
2. Alleged Youth on Staff Assault	6	2	0
3. Physical Restraint	37	13	14
4. Use of Handcuffs and/or Shackles	2	1	2
5. Seclusion	3	1	0
6. Contraband	0	5	0
7. Suicide Ideation	24	9	7
8. Suicide Attempt	0	1	0
9. Self-Injurious Behavior	0	4	1

The average daily population (ADP) at Waxter increased by 1 (from 10 to 11) in the first quarter of 2022 compared to the first quarter of 2021, and there were slight upticks in youth fights and assaults, physical restraints of youth by staff and the use of handcuffs and/or leg irons on youth inside the facility during the same time period. Seclusion was not used during the quarter.

Closure

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

At time of writing (April 2022), girls detained at Noyes were moved to Cheltenham Youth Detention Center due to a fire and health hazard posed by one of the air conditioner handler units at Noyes AC.

Education

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

Due to an outbreak of COVID-19 beginning in December 2021, education services consisted of packet work which students completed on their own until February of 2022 when virtual education was initiated.

For more information on education in DJS facilities, see the MSDE JSES section of this report which begins on page 36.

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 with a DJS-rated capacity of 29 youths. Noyes was closed in January and February of 2022 to convert the facility to an all-girls detention center. Girls who would have been housed at the all-girls Waxter detention center in Laurel (which had an aged, cramped and decrepit physical plant) were moved to Noyes on March 1, 2022. Noyes is also an old and space-challenged, but the physical plant is in slightly better condition in some respects than the wholly antiquated Waxter center. Black youth represented 78% of entries during the operating portion of the first quarter of 2022 compared to 63% during the first quarter of 2021.

Noyes – Selected Incident Categories	Q1 2020	Q1 2021	Q1 2022
Average Daily Population (ADP)	32	14	8
1. Youth on Youth Assault/Fight	26	6	0
2. Alleged Youth on Staff Assault	1	4	0
3. Physical Restraint	48	18	3
4. Use of Handcuffs and/or Shackles	6	5	0
5. Seclusion	1	1	0
6. Contraband	2	5	0
7. Suicide Ideation	9	10	1
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	1	8	0

Average daily population decreased by 43% during the first quarter of 2022 compared to the same time period last year. There were three restraints and one instance of suicide ideation when Noyes was occupied in March of 2022.

At time of writing (April 2022), girls detained Noyes were moved to Cheltenham Youth Detention Center due to a fire and health hazard posed by one of the Noyes air conditioning handler units.

Lower Eastern Shore Children’s Center

The Lower Eastern Shore Children’s Center (LESCC) is a hardware secure detention center located in Salisbury. LESCC is owned and operated by the Maryland Department of Juvenile Services (DJS/the Department) and has a DJS-rated housing capacity of 18 boys and six girls. Black youth represented 84% of entries during the first quarter of 2022 compared with 75% during the first quarter of 2021.

LESCC – Selected Incident Categories	Q1 2020	Q1 2021	Q1 2022
Average Daily Population (ADP)	18	12	16
1. Youth on Youth Assault/Fight	6	5	9
2. Alleged Youth on Staff Assault	0	1	1
3. Physical Restraint	35	20	42
4. Use of Handcuffs and/or Shackles	0	0	1
5. Seclusion	0	0	1
6. Contraband	2	6	1
7. Suicide Ideation	1	5	3
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	1	0	0

The average daily population at LESCC increased by 33% in the first quarter of 2022 when compared to the first quarter of 2021 while youth on youth assaults and fights increased by 80% and physical restraints of youth by staff more than doubled. Mechanical restraints (handcuffs and/or leg irons) and seclusion were each used once and there were three incidents involving suicide ideation during the first quarter of 2021.

Western Maryland Children’s Center

Western Maryland Children’s Center (WMCC), located in Washington County, is a 24-bed maximum security detention center for boys owned and operated by the Maryland Department of Juvenile Services (DJS/the Department). Black youth represented 77% of total entries during the first quarter of 2022 compared to 48% in the first quarter of 2021. Latino/Hispanic youth accounted for 5% of total entries during the same time period, a decrease of 3% compared to the first quarter of 2021.

WMCC – Selected Incident Categories	Q1 2020	Q1 2021	Q1 2022
Average Daily Population (ADP)	20	12	14
1. Youth on Youth Assault/Fight	8	8	11
2. Alleged Youth on Staff Assault	1	1	3
3. Physical Restraint	14	19	34
4. Use of Handcuffs and/or Shackles	5	2	6
5. Seclusion	0	0	5
6. Contraband	0	1	2
7. Suicide Ideation	0	1	1
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	0	0

The average daily population increased by 17% in the first quarter of 2022 compared to the same time last year while the number of incidents involving youth fights and assaults increased by 38%, use of physical restraints on youth increased by 79%, and use of mechanical restraints (handcuffs and/or leg irons) used on youth inside the facility tripled. There were five incidents of reported seclusion during the quarter during the first quarter of 2022 versus zero instances in 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 18 boys. Black youth represented 77% of total entries during the first quarter of 2022 compared to 68% in the first quarter of 2021. Hispanic/Latino youth represented 14% of youth entries during the current reporting period compared to 11% during the same time last year.

Victor Cullen – Selected Incident Categories	Q1 2020	Q1 2021	Q1 2022
Average Daily Population (ADP)	22	11	13
1. Youth on Youth Assault/Fight	12	5	3
2. Alleged Youth on Staff Assault	7	2	1
3. Physical Restraint	30	12	7
4. Use of Handcuffs and/or Shackles	19	8	3
5. Seclusion	5	3	1
6. Contraband	6	1	0
7. Suicide Ideation	0	0	1
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	0	1	1

Population

The average daily population (ADP) at Victor Cullen in the first quarter of 2022 increased by 18% compared to the first quarter of 2021. During the same time period, youth on youth assaults declined by 40%, physical restraints of youth by staff declined by 42%, use of mechanical restraints (handcuffs and/or leg irons) on youth inside the facility decreased by 63%,

and use of seclusion decreased by 2 (from three instances in the first quarter of 2021 to one instance in the first quarter of 2022).

Program

Administrators at Cullen have recently been proactively attempting to improve facility staffing and programming. A mental health director for the facility has been hired and candidates for clinician positions have been identified. Staffing issues have also been ameliorated by the filling of a number of vacancies for management and direct-care staff.

In addition, facility administrators have begun to address youth needs. Incarcerated young people at Cullen have reported frequent boredom and a lack of varied activities to help keep constructively occupied. Youth also reported gym equipment was outdated, recreation time was unstructured, and that access to DVD players, movies, and video games to pass time was limited due to a lack of devices, supplies and opportunity.

Administrators have since replaced aging basketballs with new ones, organized biking and other recreation activities, provided more DVDs and video games for youth use, and introduced arts and crafts, games, and woodworking sessions to help keep youth engaged. A ropes course system is scheduled to be completed by the end of summer of 2022. While here has been substantial improvements in programming, youth have also expressed interest in a music program, in off-grounds activities, and in family engagement events. The administration should ensure that these requests are also honored.

Education

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

Education staff are making efforts to enhance education services at Victor Cullen. A mobile GED testing lab has provided some eligible students the opportunity to take the GED at Cullen instead of having to be scheduled and then transported securely (i.e., shackled) to another testing location to take the test. During the reporting period, the guidance counselor at Cullen worked closely with a student enrolled in online community college to ensure that the youth received computer access and academic assistance for his course.

The education curriculum should be expanded to go beyond solely offering core high school classes and include career and technical education (CTE) opportunities that allow youth to gain knowledge and learn skills that prepare them for employment in the community.

For more information on education in DJS facilities, see the MSDE JSES section of this report which begins on page 36.

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 youth. The facility temporarily closed in November of 2020.

Savage Mountain	Q1 2020	Q1 2021	Q1 2022
Average Daily Population (ADP)	7	N/A	N/A
1. Youth on Youth Assault/Fight	4	N/A	N/A
2. Alleged Youth on Staff Assault	1	N/A	N/A
3. Physical Restraint	11	N/A	N/A
4. Use of Handcuffs and/or Shackles	4	N/A	N/A
5. Seclusion	0	N/A	N/A
6. Contraband	0	N/A	N/A
7. Suicide Ideation	1	N/A	N/A
8. Suicide Attempt	0	N/A	N/A
9. Self-Injurious Behavior	0	N/A	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 and DJS and education staff are still employed at the facility. While it was operational, GCC was plagued with poor management, leading to significant safety and security issues⁶ and a dearth of recreational and vocational program. Despite the high cost of running youth prisons, declining populations of committed youth, and the growing consensus

⁶ See JJMU 2020 Third Quarter Report, page 9-10, available at: [JJMU 2020 Third Quarter Report](#)

that the youth prison model fails to improve public safety and youth outcomes⁷, DJS continues to keep GCC open.

⁷ See McCarthy, Patrick, Vincent Schiraldi, and Miriam Shark. The Future of Youth Justice: A Community-Based Alternative to the Youth Prison Model. National Institute of Justice (2016), Available at: [The Future of Youth Justice: A Community-Based Alternative to the Youth Prison Model \(ojp.gov\)](#)

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). Black youth represented 80% of total youth center entries in the first quarter of 2022 compared to 78% during the same period in 2021. Latino/Hispanic youth represented 14% of youth entries in the first quarter of 2022 compared to 3% during the first quarter of 2021.

Combined Youth Centers (x2) – Selected Incident Categories	Q1 2020	Q1 2021	Q1 2022
Average Daily Population (ADP)	68	22	28
1. Youth on Youth Assault/Fight	34	3	9
2. Alleged Youth on Staff Assault	10	5	3
3. Physical Restraint	77	16	34
4. Use of Handcuffs and/or Shackles	20	7	3
5. Seclusion	0	0	0
6. Contraband	17	2	2
7. Suicide Ideation	16	0	9
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	1	0	0

Average daily population at the youth centers increased by 27% in the first quarter of 2022 compared to the first quarter of 2021 while youth on youth fights and assaults tripled and physical restraints of youth by staff more than doubled. However, use of mechanical restraints (handcuffs and/or leg irons) on youth inside the facilities declined by 57% when comparing the two time periods.

The majority of youth fights and assaults and restraints at the youth centers during the quarter occurred at Green Ridge. There is no on-site recreation specialist at Green Ridge Youth Center to plan structured activities for youth for recreation and during periods of downtime. More resources at that facility such as a dedicated recreation specialist to help keep youth constructively engaged may mitigate acting out behaviors.

Outdoor special events such as a biking and picnic outings were available during the quarter for a small number of youth who met Department-set benchmarks. All youth at both youth centers frequently express that they would all like to avail of such opportunities and the incarcerated young people also say that they want outdoor activities to be more varied, frequent and integrated into regular weekly programming.

Family is a source of support and motivation for many young people, and youth at the youth centers frequently request more minutes per week to talk to loved ones. The Department should increase allowances for family contact for youth sent to remotely located placement centers.

For information on education in DJS facilities, see the MSDE JSES section of this report which begins on page 36.

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. Black youth committed to SOA through DJS represented 88% of entries during the first quarter of 2022 compared to 100% during the same period in 2021.

SOA – Selected Incident Categories	Q1 2020	Q1 2021	Q1 2022
Average Daily Population (ADP)	41	13	11
1. Youth on Youth Assault/Fight	22	4	10
2. Alleged Youth on Staff Assault	5	0	2
3. Physical Restraint	24	1	10
4. Use of Handcuffs and/or Shackles	0	0	0
5. Seclusion	0	0	0
6. Contraband	6	2	2
7. Suicide Ideation	0	0	1
8. Suicide Attempt	0	0	0
9. Self-Injurious Behavior	1	0	0

The average daily population of residential youth⁸ placed at Silver Oak decreased by 15% in the first quarter of 2022 when compared to the first quarter of 2021. However, youth fights and

⁸ In addition to youth in residence, Silver Oak provides high school education services to day students who live in surrounding communities.

assaults more than doubled and physical restraints of youth by staff increased tenfold when the same two time periods.

Eligible youth at Silver Oak are able to work at nearby businesses, and field trips and volunteer opportunities in the community are integrated into facility programming.

Three youth at Silver Oak have continued in placement at the facility for inordinate periods of time (between 256 to 290 days) even though they have not been involved in any serious aggressive incidents or restraints throughout their stay. Administrators, case management, and mental health staff should formulate individualized plans for youth with long lengths of stay to help them use their strengths to complete the program. According to public safety policy analysts, “a growing body of research demonstrates that for many juvenile offenders, lengthy out-of-home placements in secure corrections or other residential facilities fail to produce better outcomes than alternative sanctions. In certain instances, they can be counterproductive.”⁹

Increasing family engagement is one way to help motivate youth to adhere to facility requirements and progress through the program.¹⁰ Family contact is severely limited at Silver Oak, and young people there frequently voice distress over the lack of family time provided to them, especially when compared to their time in DJS detention facilities (prior to placement at Silver Oak). Youth in DJS detention and DJ-operated placement centers are allowed a minimum of four phone calls home per week with two of those calls available as virtual phone calls. In addition, family visitation (which is available as long as there are no COVID-19 outbreaks) is permitted any day of the week for two hours at a time as long as it is scheduled in advance. In contrast, youth placed at Silver Oak receive two 15-minute calls on Saturdays and Sundays and one visit per month. As a result, youth at Silver Oak and ostensibly engaged “in treatment” are afforded less time with family than they had when detained and awaiting placement. Administrators should increase opportunities for visitation and calls and should ensure youths’ families are involved and invested in their children’s progress through the Silver Oak program.

⁹ The Pew Charitable Trusts Issue Brief. Re-examining Juvenile Incarceration (April 2015), available at: [Re-Examining Juvenile Incarceration | The Pew Charitable Trusts \(pewtrusts.org\)](https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2015/04/re-examining-juvenile-incarceration)

¹⁰ Increased family contact is associated with improved academic performance and decreased incidents of aggression while in placement and may help reduce recidivism. See Shanahan, R., and diZerega, M. “Identifying and Empowering Families: A Charge for Juvenile Justice Agencies.” Vera Institute for Justice. February, 2016. pp. 3-6. Available at: [family-engagement-for-juvenile-justice-agencies.pdf \(vera.org\)](https://www.vera.org/publications/family-engagement-for-juvenile-justice-agencies)

Mountain View (Closure)

Mountain View was a Maryland Department of Juvenile Services (DJS/the Department) owned and operated staff secure committed placement center for girls that opened in June 2020. The facility consisted of a single structure on the grounds of Backbone Mountain Youth Center for boys that housed a living unit (upstairs) and school (downstairs). The dormitory style living arrangement had space for up to six girls. No girls were placed at Mountain View during the first quarter of 2022, and the Department closed the facility during this time period.

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 Sanctuary¹¹ treatment approach and the Crisis Development Institute's Crisis Development Model for de-escalation¹².

Lack of adequate supervision remained a significant concern at Morning Star throughout the first quarter of 2022. In Incident 169615, four youth left their living quarters, walked outside over to another living unit, entered, and engaged in a fight with the youth inside. One youth required stitches as a result of the altercation.

In Incident 169818, evidence of smoking was discovered near the weight room and bathroom. Seven of the 15 youth on campus subsequently tested positive for nicotine.

Incident 169826 involved a situation where a youth obtained an unauthorized cell phone and was using it in his room. The youth reported that he stole the cell phone from the local recreation center.

Greater attention to youth supervision is needed to help prevent incidents involving youth aggression, substance abuse, and contraband 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. 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.

¹¹ For more information on the Sanctuary model, see: <http://www.sanctuaryweb.com/>

¹² For more information, see [CPI's Crisis Development Model: An Opportunity for a Positive Outcome \(crisisprevention.com\)](https://www.crisisprevention.com/cpi-crisis-development-model)

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.

Education services were disrupted in the first quarter of 2022 due to an outbreak of COVID-19 which began in December of 2021. Throughout January of 2022, school services consisted of packets of worksheets that students were required to complete on their own. Unassisted packet work was difficult for most students, and non-English speaking young people and youth with Individualized Education Plans (IEPs) or special education needs particularly struggled. In February, teachers remained off-site, however virtual education was implemented across JSES schools in areas within facilities that could support online instruction. Some students in quarantine did not have access to online services and continued to do packet work. In-person instruction was restored in early March of 2022, however individual schools have retained virtual instruction for some classes due to teacher shortages.

In July of 2022, control of school operations will shift from MSDE JSES administrators to a newly appointed superintendent together with members of an independent school board with a mission to promote progress for incarcerated students. The Department of Juvenile Services will provide resources to help effectuate the mission of the superintendent and the school board. As the new superintendent and board begins to implement policies and procedures to guide school operations, attention should be given to the following areas in need of improvement:

-STAFFING: Strategies are needed to address the long-standing difficulty in recruiting and retaining teachers and other educational personnel which has resulted in widespread vacancies throughout JSES schools;

-ACCOUNTABILITY: Performance measures should be implemented across all JSES schools to ensure that academic engagement and progress are prioritized;

-RESOURCES: Resources must be expanded to include robust career and technical education (CTE) opportunities and job training for young people interested in pursuing employment in high-demand areas that can provide livable wages following completion of high school;

-OTHER NEEDS: Enhanced technological and academic resources need to be provided, including media centers at each school, internet access throughout every facility to ensure young people on living units can access virtual learning if needed (e.g. during periods of quarantine), and increased access to books, computers, educational software, and enrichment activities that foster student engagement and learning both at school and on youth living units.

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.

COVID-19 CASES IN DJS FACILITIES

The First Quarter of 2022 saw a dramatic decline in the number of confirmed cases of COVID-19 among DJS facility staff after the unprecedented spike in cases in December 2021. For the months of January, February and March, there were 87 total confirmed cases of COVID-19 among DJS facility staff (53, 29 and 5 cases, respectively). In contrast, there were 184 cases of COVID-19 among facility staff in December 2021 alone. Furthermore, 94% of all of the COVID-19 cases among staff in the First Quarter of 2022 occurred in January and February (82 out of 87 total cases). DJS is pleased to report that out of 87 cases in the First Quarter, all affected staff have returned to work.

The number of confirmed cases of COVID-19 among youth in DJS facilities followed a similar track in the First Quarter. After January 2022 saw 45 cases among youth, the number of cases dropped considerably to 6 and 1 for February and March, respectively. Thus, the total number of youth cases for the First Quarter was 52 with all of the youth successfully recovering.

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

VACCINE REQUIREMENTS FOR DJS FACILITY STAFF

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

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

COVID-19 INFECTION CONTROL MEASURES

DJS appreciates JJMU's acknowledgement of the Department's efforts to protect youth and staff during this pandemic. In March 2020, the Department began making significant changes to facility procedures in anticipation of the arrival of the coronavirus to Maryland. These changes were made in consultation with the DJS Medical Director and Health Team, and based on national best practices. Infection control measures such as social distancing, universal masking, increased hygiene and sanitation, limiting facility entry to staff and approved vendors, creating intake admission units in juvenile detention facilities, and creating medical isolation units for youth who test positive for COVID-19 were implemented in an effort to keep youth and staff safe while maintaining the continued operation of the Department's secure facilities.

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

The use of medical isolation for individuals testing positive for COVID-19 (or any other highly contagious virus) is a medical best practice and similar to what occurs in the community, whether in the home or in a hospital or other setting. Under normal circumstances, DJS policy restricts the use of "time out" periods for a youth to be away from the larger population in his/her room as a means of "cooling off." DJS recognizes that being in a room isolated from others is difficult for

anyone. To alleviate the stress for the youth that have tested positive for COVID-19 and required to be medically isolated, DJS has provided handheld games and cell phones for youth to call family while they recover. Additionally, all youth in medical isolation and youth housed on quarantined units are assessed by a licensed medical professional daily and at frequent intervals as ordered by our medical director and team of physician and nurse practitioner staff. Given the highly infectious nature of COVID-19, our healthcare staff agreed that medical isolation is necessary to protect youth and staff in DJS facilities.

As of March 2022, youth are no longer required to wear masks indoors or outdoors at DJS facilities. Masking for youth is still required in certain situations such as quarantine or medical isolation, during transportation or as ordered by a health care provider. Youth still have the option to wear a mask if they so choose. DJS will continue to ensure masks are available at entry/exit points to school, living units, recreational areas, medical suite, and other areas as needed.

Facility staff must continue to wear N95/KN95/well-fitting surgical masks indoors around youth but are not required to wear masks outdoors.

FACILITY PROGRAMMING DURING THE PANDEMIC

In light of the decreased rates of COVID-19 in both DJS facilities and the community, certain infection control measures have been eased. Youth are now permitted to have buffet style meals and group events. In April 2022, youth in DJS committed facilities were permitted to go off grounds to attend facility-approved outdoor events in the community.

DJS has also lifted restrictions on facility volunteers to now permit volunteers to be tested by medical staff at DJS facilities. This change is expected to expedite the return of volunteer programming in DJS facilities.

To enhance the facility programming schedule, DJS is also in the process of conducting a programming audit in all facilities. The goal is to create a more robust programming schedule with the help of both facility staff and outside vendors.

In March and April 2022, the CHAMPS program organized March Madness activities and themed events around “Women in Sports” for facility youth. A panel for National Crime Victim Rights Week was held in conjunction with the Victim Services Unit with a panel of parents of crime victims who shared their experiences. Contact sports are permitted between youth of the same unit. Facility and recreation staff continue to focus on having more activities outdoors as the weather improves.

At the time of this writing, 16 youth roundtables were held with the Deputy Secretary of Operations and his Executive Team to give youth a voice in the decision-making process to improve facility

programming, operations, and facility culture. DJS continues to meet with the youth policy committee and their contributions to four policies have made significant changes in the programs and services that affect youth.

FAMILY ENGAGEMENT

DJS Operations leadership has relaxed previous infection control measures to improve the family engagement experience for youth. Youth are now permitted to meet with up to four family members at a time, which is an increase from the earlier restriction of two family members per youth visit.

In April 2022, physical contact during visitation with family members was reinstated to allow a hug at the beginning and conclusion of the visit. DJS continues to recommend and support home passes for youth who are at Honors Senior level within the behavior management program for the treatment programs. DJS will be making revisions to the visitation policy from the youth policy committee to provide interactive activities such as board games, cards, and other fun activities during family visitation.

Outdoor “Family Day” events are in the planning stages for Summer 2022 at DJS facilities. Such events will be subject to some infection control measures such as temperature screening, symptom questionnaire screening, and social distancing.

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

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

NAVIGATING THE NEW NORMAL

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

DEPARTMENT OF JUVENILE SERVICES RESPONSE TO JJMU 2022 FIRST QUARTER REPORT

The Department of Juvenile Services (DJS) has reviewed the Juvenile Justice Monitoring Unit's (JJMU) 2022 First Quarter Report, and provides the following response:

FACILITY STAFFING AND INCIDENTS

From December 2021 through February 2022, DJS facilities experienced an unprecedented surge in COVID-19 cases among staff and youth. This rapid increase in cases caused the DJS leadership to take significant actions such as calling on trained community staff to supplement staffing in the facilities and re-implementing restrictive infection control measures. For a detailed discussion of the impacts of the COVID-19 surge beginning in December 2021, please see the Department's Response to JJMU 2022 Fourth Quarter Report and Annual Review.

In March 2022, there were 5 confirmed cases of COVID-19 among DJS facility staff compared to 184 in December 2021. All staff who tested positive from January to March 2022 have recovered and returned to work.

Nonetheless, there continues to be lingering effects from the unprecedented surge in staff and youth testing positive for COVID-19 in late 2021 and early 2022. While staffing has generally stabilized in DJS facilities, some DJS facilities have experienced shortages of staff on various shifts, which then limits the movement and activities of youth. Additionally, facility programming for youth, which was significantly curtailed as a result of infection control measures during the recent COVID-19 surge, is returning but not fully implemented to date. Lastly, with an increase in the number of youth charged as adults, more youth are staying in DJS detention facilities for longer periods of time as their cases make their way through the adult criminal system. These longer lengths of stay can increase frustration and acting out by youth.

Safety and security are the department's top priorities in DJS facilities. The executive leadership are aware of the challenges facing DJS facilities and implementing solutions to alleviate them. First, DJS is adding youth charged as adults as part of its already-existing detention review process in order to monitor how long youth have been in detention and provide notifications to the court, if necessary. DJS is also exploring training opportunities for both residential staff and operations leadership to focus on working with more challenging youth. For incidents that result in serious staff injuries, a standardized process is being developed to hold youth accountable by filing criminal charges when appropriate. Lastly, DJS will continue its intense focus on recruitment and hiring of new facility staff.

DJS acknowledges that multiple factors played a role in several serious incidents in its facilities in the First Quarter.¹³ All of the incidents were investigated by the DJS Office of the Inspector General along with facility management. When appropriate, staff were held accountable in accordance with DJS policy and, in a few cases, youth were criminally charged for their role. DJS will continue to closely monitor staffing levels and incidents in its facilities to ensure a supportive and safe environment for staff and youth alike.

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

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

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

DJS BEHAVIORAL HEALTH UNIT CONTINUES TO RECRUIT QUALIFIED PROFESSIONALS

The Behavioral Health Unit has continued to actively recruit for vacancies during this period. In March and April 2022, the Behavioral Health Unit welcomed four staff members who filled positions at BCJJC, Cheltenham, and the Youth Centers. The Behavioral Health Team is slated to welcome two more staff members in May 2022 who will fill positions at VCC and the Eastern Shore. Behavioral health services at Cheltenham, Hickey, and BCJJC are provided via contractual agreement and the contractor is in the process of hiring for one vacancy at Cheltenham. Recruitments for positions at the Youth Centers, Cheltenham, and Victor Cullen remain active and applicant interviews are being held in May 2022.

¹³ The incidents described in the "Covid-19 Response and Juvenile Justice Reform" section of the JJMU's 2022 First Quarter Report are specifically addressed in the facility response section below.

Committed Programs

Victor Cullen Center (VCC)

Program

DJS appreciates the JJMU noting the proactive efforts of VCC administrators to improve facility staffing, programming, and recreational activities.

In the near future, VCC will have a new ropes and zip line course. Facility administration has included monthly celebrations that include nationally recognized food days and ceremonies to recognize youth accomplishments such as receiving their high school diploma and successfully completing the VCC program. Exit interviews with youth who have completed the VCC program have been implemented as a way to get feedback and find new opportunities for improvement.

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 2022.

Youth Centers

Green Ridge's recreation specialist returned in April 2022 from a military deployment and has already started to implement activities within the facility. Green Ridge is currently in the process of recruiting a second recreational specialist.

DJS Youth Centers are committed to ensuring that outdoor programming remains an important component of the facility treatment milieu. During the quarter, youth were able to participate in off-ground activities through the Reflections Program. As infection control measures are eased, the youth have been able to go fishing at a State Park. With improving weather conditions, outdoor activities are expected to increase.

Family contact has increased throughout the pandemic and they include two 10-minute phone calls, one 20-minute phone call made through a facility case management specialist, and two 15-minute virtual video calls. Additional calls are made by the facility case management specialist if time permits.

Mountain View

Mountain View ceased operations in December 2021.

Detention Centers

Baltimore City Juvenile Justice Center (BCJJC)

Staff Supervision

Regarding Incident 170143, the staff on the unit were posted properly and responded in a timely fashion. After reviewing the video footage, it was identified that a staff member dropped her radio during the incident. A youth took possession of the radio and began making assistance calls to multiple units in order to confuse staff who were responding and delay their arrival at the pod in which the incident was occurring. To address this issue, facility administration has been conducting ongoing control center and safety trainings. Staff have been instructed to properly store items in the day area that could be used as projectiles. Youth involved were held accountable in accordance with the behavior management system and Maryland State Police (MSP) was contacted to conduct a criminal investigation.

Incident 170124 was reviewed by facility administration who instituted a corrective action plan including staff retraining. Managers are on the floor to assist with training and immediate corrections related to safety and security.

Regarding the occurrence of youth accessing a computer in a case manager's office, the staff member was held accountable in accordance with the DJS Standards of Conduct.

Facility Programming

During this quarter, programming has begun to increase at the facility. There had been a decrease of in-person programming because not all vendors offered virtual programming. In-person programming resumed on March 8, 2022.

Facility programming for youth at BCJJC includes Chess Club, Psychometrics Life Skills and Gang Intervention, Church Groups, Full Potential, and Art Programs. New movies have also been ordered to enhance the movie selection. Programming staff take the youth to the arcade on Mondays, Wednesdays, Fridays, and Saturdays. Group activities are increasing with the lifting of some infection control measures. These activities include 3-on-3 basketball, 5-on-5 basketball, volleyball, pickleball, Ironman competition circuit, video game tournaments, and 3-point shoot-outs.

Physical Plant

A pest control company treats the entire facility on a monthly basis. DJS maintenance staff are treating the drains on a daily basis. If the problem persists, the pest control company can increase the frequency of its services.

The picture in the JJMU report is not from a youth living area. The photo depicts the staff bathroom in a non-secured area of the facility. The issue was addressed by maintenance by priming a dry trap with water and disinfectant.

Hygiene Products

In the instance where the facility temporarily ran out of Dove soap, youth were provided a different type of soap for their hygiene needs that day. The issue was later remedied when staff gained access to the warehouse and the requested Dove soap.

Education and Behavioral Health Support

MSDE currently has a staff psychologist, social worker, and school counselor who work within the school during regularly scheduled school hours. The BCJJC Behavioral Health team provides additional services as requested by the youth and staff during school hours to aid in supportive counseling and de-escalation of youth. Behavioral Health staff respond to situations within a timely manner as per DJS policy and ensure that school is not disrupted for the other students. DJS administrators collaborate daily with the BCJJC Behavioral Health team regarding crisis intervention and the other youth needs.

Cheltenham Youth Detention Center (CYDC)

Facility Staffing

CYDC was particularly challenged by staffing issues during the First Quarter of 2022. With experienced staff leaving State employment, coverage for some shifts was limited and, consequently, youth movement had to be restricted to maintain safety and security. Administrators were placed in coverage on weekends to provide oversight and help bolster coverage. The restricted youth movement occurred over the course of two weekends in March and has not occurred since.

See the Introduction section of this Response for a detailed discussion of the staffing challenges and solutions being implemented by DJS leadership to address the issue.

DJS continues to proactively recruit and hire new staff to fill vacancies. Two new recreation staff started working at CYDC in March 2022 and, consequently, facility programming has increased for the benefit of the youth.

Mental Health Supports

To assist in management of youth with high behavioral and mental health needs, executive directors provided onsite support and facility administrators, case management, and behavioral health staff developed specialized plans for youth to include guarded care plans and behavioral contracts. Behavioral health staff provide ongoing supportive counseling and psychoeducation to all youth. In its First Quarter Report, the JJMU describes multiple incidents involving youth with extensive histories of mental health issues.¹⁴ In each of the incidents, behavioral health staff were consulted and, if necessary, additional supports were provided. When a youth with significant mental health

¹⁴ Incidents 169850, 169912, 169914, 169862, 169997, 169933, and 170013.

needs is identified, facility administrators work with the courts and other stakeholders to find an appropriate placement that can provide the necessary services to the youth.

Facility Incidents

As noted by the JJMU, CYDC experienced several incidents ranging from contraband issues to non-compliance by youth and assaults. In most of the incidents, staff interventions were appropriate and consistent with DJS policy.¹⁵ In a handful of incidents,¹⁶ staff involved received counseling and retraining. As a proactive measure, weekly administrative meetings are held to review escalating behaviors to determine the need for guarded care plans and/or behavioral contacts.

The youth who was involved in Incident 16459 and three other incidents had been admitted to CYDC in mid-December 2021 and had difficulty adjusting to the facility culture and behavior management system. After each incident, he was seen by medical and behavioral health staff. Facility administrators moved the youth to different units for his safety.

Facility Programming

All units have been assigned dates and times for exercise room usage since the hiring of two new recreation staff mentioned above. Likewise, the outside fields are going to be used for both CHAMPS programming as well as unit activities, depending on the weather. Youth will be offered recreation and/or the exercise room options as part of their weekly recreation package.

The facility purchases new DVD movie releases every Tuesday. Structured movie time is offered to youth in their units and as a group activity in the centralized movie location of the facility. During those times, ice cream, soda, and other snacks are made available to youth. All youth participate in the unit of the week contest where extra incentives such as video games usage and movie exclusives are available for the unit winner. The facility recently purchased carts and placed televisions with video game consoles attached as an added incentive for unit of the week winners. Lastly, a purchase order was submitted to acquire individual DVD players so youth can earn another added incentive to be in their rooms to watch movies alone.

Charles H. Hickey Jr. School (Hickey)

DJS appreciates the JJMU noting that the new administration at Hickey is making efforts to increase programming and incentives for young people at the facility to improve overall safety and operational structure for youth and staff. Hickey administrators conduct weekly meetings with the youth population to discuss daily operations, program assessments, youth interests, and behavior expectations. Because of the weekly meetings, several incentive programs have been implemented to support the current behavior management program. Based on expressed interests, youth

¹⁵ Incident 169890; Grievance 17414.

¹⁶ Incidents 169958, 170036, 169500, and 169965; Grievance 17435

incentives were increased to allow for earning phone calls, extended gym time, and improved structured activities including weekly new movie releases. Incentives were based on both individual and group activities to allow youth to support one another.

Regarding Incident 17011, it was determined that facility staff followed the proper protocol by immediately intervening to gain control of the group disturbance. The injured youth was transferred to another facility. As a result of an MSP investigation, 9 youth were charged with assault.

Thomas J.S. Waxter (Waxter)

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

Alfred D. Noyes (Noyes)

On March 1, 2022, the Waxter female population was moved to Noyes and the facility began accepting female youth. However, due to a significant malfunction in the heating and ventilation system, Noyes closed indefinitely for repairs in early April 2022. All of the youth residing at Noyes were then transferred to a female unit at CYDC.

Lower Eastern Shore Children's Center (LESCC)

Staff at LESCC utilize treatment team meetings with youth, one-on-one meetings, unannounced supervisor walk-throughs, and administrative support to help build a rapport with youth.

Western Maryland Children's Center (WMCC)

During the First Quarter of 2022, WMCC implemented the 99% club and "Pod of the Week" to provide positive incentives for youth.

Private Programs

Silver Oak Academy (SOA)

1. “The average daily population of residential youth placed at Silver Oak decreased by 15% in the first quarter of 2022 when compared to the first quarter of 2021. However, youth fights and assaults more than doubled and physical restraints of youth by staff increased tenfold when the same two time periods.”

SOA Response: Two students were involved in an inordinate number of incidents, resulting in higher than usual numbers. The two students were provided with additional services and interventions through behavior contracts. One was successful and is currently participating in the program without incidents and the other continued aggressive actions and was moved to a secure detention facility to await further referral elsewhere. SOA will continue to utilize interactive supervision and structured programming as a foundation of incident reduction with specialized programming and behavior contracts as enhanced programming for youth as determined through a collaborative team approach.

DJS Response: DJS Licensing and Monitoring (L&M) reviews all incidents, including video footage when available to ensure compliance with the DJS Incident Reporting Policy. Technical Assistance is provided and or Corrective Action Plans are requested when appropriate.

2. “Three youth at Silver Oak have continued in placement at the facility for inordinate periods of time (between 256 to 290 days) even though they have not been involved in any serious aggressive incidents or restraints throughout their stay. Administrators, case management, and mental health staff should formulate individualized plans for youth with long lengths of stay to help them use their strengths to complete the program. According to public safety policy analysts, “a growing body of research demonstrates that for many juvenile offenders, lengthy out-of-home placements in secure corrections or other residential facilities fail to produce better outcomes than alternative sanctions. In certain instances, they can be counterproductive.”

SOA Response: While public safety policy analysts may view placement as a sanction, we view participation in the SOA program as an opportunity for growth, through education, treatment and participation in normalized activities.

SOA implements an achievement based program, which provides motivation for students to put effort into achieving goals. The goals are established with input from team members, which

include the student, DJS, family and SOA staff. Student progress is reviewed monthly with discharge planning incorporated within the goals. Student progress is not defined through incidents, but through a more holistic approach which takes a broader view toward future success. DJS has input into length of stay through the multi-disciplinary team process. If DJS, as the referring/placement agency, chooses to limit the goals or reduce program rigor and expectations for their youth, this can be accommodated through the treatment planning and multi-disciplinary team process. SOA does contract with one agency that utilizes determinate sentencing and we find that their clients sometimes become less motivated to work on behavioral change and goal attainment, but still benefit from program participation.

DJS Response: As part of the monitoring process, L&M reviews treatment service plans to ensure youth are receiving appropriate services to progress through the program. The program is on average six to nine months for a youth to progress through the level system. L&M interviews youth monthly to assess their overall progress in the program. L&M will continue to monitor.

3. "Increasing family engagement is one way to help motivate youth to adhere to facility requirements and progress through the program. Family contact is severely limited at Silver Oak, and young people there frequently voice distress over the lack of family time provided to them, especially when compared to their time in DJS detention facilities (prior to placement at Silver Oak). Youth in DJS detention and DJS-operated placement centers are allowed a minimum of four phone calls home per week with two of those calls available as virtual phone calls. In addition, family visitation (which is available as long as there are no COVID-19 outbreaks) is permitted any day of the week for two hours at a time as long as it is scheduled in advance. In contrast, youth placed at Silver Oak receive two 15-minute calls on Saturdays and Sundays and one visit per month. As a result, youth at Silver Oak and ostensibly engaged "in treatment" are afforded less time with family than they had when detained and awaiting placement. Administrators should increase opportunities for visitation and calls and should ensure youths' families are involved and invested in their children's progress through the Silver Oak program."

SOA Response: Family phone calls should not be confused with treatment. However, SOA is looking into an alternative electronic phone call monitoring system to increase student availability to pre-approved family members and support systems, similar to the types used in DJS programs. SOA implemented COVID protocols in accordance with DJS direction, which is much more restrictive than ROP utilizes in other states. Isolated instances of staff and students having positive results did result in limitations to visits, but were balanced with additional video conferencing.

SOA conducts virtual visits weekly and on-site visits monthly. Additionally, students receive two phone calls weekly. The Clinical Team also incorporates family phone calls into individual sessions to promote communication and family involvement in treatment planning and milestones.

DJS Response: Due to COVID, the Department restricted the program’s visitation policy. However, on March 26, 2022, the restrictions were lifted and the program was allowed to resume allowing four visitors per you their visitation policy. L&M interviews youth monthly to ensure that they are receiving contact with their families. Along with youth interviews, L&M reviews youth’s phone logs and treatment service plans to ensure all stakeholders are engaged in the youth’s treatment process. L&M will continue to monitor.

VisionQuest Morning Star (VQMS)

1. “Lack of adequate supervision remained a significant concern at Morning Star throughout the first quarter of 2022.”

“In Incident 169615, four youths left their living quarters, walked outside over to another living unit, entered, and engaged in a fight with the youth inside. One youth required stitches as a result of the altercation.”

VQMS Response: Regarding Incident 169615, the program standard is that no youth enter a living unit that they are not assigned to. This standard is reviewed during new staff orientation and regularly during staff trainings. The standards is also reviewed with youth during the admissions process and communicated regularly on morning circles. The staff member assigned to the living unit was released from employment as a direct result of this incident. As part of the internal review, the program reviewed the incident with all staff members involved.

DJS Response: L&M reviewed all of VQMS’ Incident Reports for compliance and provided technical assistance to the program regarding the supervision of youth in the program. A review of Incident 169615 resulted in a deficiency finding and a request for directive addressing the deficiency. The directive was reviewed by L&M on March 7, 2022. L&M will continue to monitor to ensure that VQMS is in compliance with COMAR 14.31.06 and VQMS’ directive as it relates to the supervision of youth.

2. “In Incident 169818, evidence of smoking was discovered near the weight room and bathroom. Seven of the 15 youth on campus subsequently tested positive for nicotine.”

VQMS Response: Regarding Incident 169818, Morning Star Youth Academy participates in many off property activities. The program’s internal review concluded that youth were able to pick up cigarette butts from such activities as community service/volunteer and recreational opportunities. Youth were able to conceal them in their clothing and upon return to camp make homemade cigarettes. It should be noted that the youth were caught in the act of smoking due to staff supervision and that illuminated the issue of the contraband. The program reviewed this situation with staff to ensure that there was a heightened supervision during off property activities. As a result of this incident, weekly generated random urinalysis are conducted with

program youth. Since this process has been implemented no youth have tested positive for any substance. All youth are searched upon return from scheduled home visits. The program will conduct pat down searches after all off property activities to include but not limited off site recreation, scheduled appointments and field trips. The program conducts regular searches of the program to include but not limited to inside and outside of living units, buildings, parking lot and the main camp road.

DJS Response: L&M provided technical assistance to the program regarding supervision of youth and ensuring the Search Policy is followed. L&M continues to monitor to ensure that VQMS is in compliance with COMAR 14.31.06, and all VQMS' policies.

3. "Incident 169826 involved a situation where a youth obtained an unauthorized cell phone and was using it in his room. The youth reported that he stole the cell phone from the local recreation center."

VQMS Response: Regarding Incident 169826, the program's internal review concluded that the cell phone was taken from a locker at the local YMCA. Since then, the program has limited trips to the YMCA to youth who are in their Second Phase or above. The family locker room is also utilized as the only form of bathroom or storage of youth belongings so that staff maximize their supervision of all youth. All youth are searched upon return from scheduled home visits. The program will conduct pat down searches after all off property activities to include but not limited off site recreation, scheduled appointments and field trips. The program conducts regular searches of the program to include but not limited to inside and outside of living units, buildings, parking lot and the main camp road.

DJS Response: As a result of a review of VQMS' Search Policy, L&M provided technical assistance to the program regarding supervision of youth and ensuring the Search Policy is followed. L&M continues to monitor to ensure that VQMS is in compliance with COMAR 14.31.06, and all VQMS' policies.

4. "Greater attention to youth supervision is needed to help prevent incidents involving youth aggression, substance abuse, and contraband at the facility."

VQMS Response: The program continues in their attempts to source qualified staff. They utilize corporate recruiters and local contacts. The program has also reached out to local colleges as a means to attach more qualified staff. Issues related to supervision are addressed in regular staff trainings, one on one discussion with staff and during the weekly Continuous Quality Improvement (CQI) meetings. Thorough reviews are conducted after each incident and staff are debriefed regarding any identified issues. Regular camera reviews are conducted to identify training topics, and findings are discussed and monitored through the CQI process.

DJS Response: L&M provided technical assistance to the program regarding supervision of youth and ensuring the Search Policy is followed. L&M continues to monitor to ensure that VQMS is in compliance with COMAR 14.31.06, and all VQMS' policies.

**MARYLAND STATE
DEPARTMENT OF EDUCATION
- RESPONSE**



May 9, 2022

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

The Maryland State Department of Education (MSDE) has reviewed the Juvenile Justice Monitoring Unit's (JJMU) 2022 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

COVID-19 RESPONSE

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

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

During synchronous online instruction, teachers engaged students in learning using Google applications and other instructional technology tools. To achieve this objective, synchronous learning using WebEx and/or Google Meets was implemented. Both programs provided students

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

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

Responses to Inaccurate Statements and General Misconceptions

Education services were disrupted in the first quarter of 2022 due to an outbreak of COVID-19 which began in December of 2021. Throughout January of 2022, school services consisted of packets of worksheets that students were required to complete on their own. Unassisted packet work was difficult for most students, and non-English speaking young people and youth with Individualized Education Plans (IEPs) or special education needs particularly struggled. (pages 9, 15, 20, 37).

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

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

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

English Learners: The JSES teachers have received multiple professional development sessions pertaining to working with English Learner (EL) students and established a bank of resources that any teacher can use during classroom instruction. The JSES currently has two EL teaching positions located a Cheltenham and Noyes, which are utilized to provide individualized sessions for students.

Both teachers were available for support via Google Meet or by phone for all students, including EL students, during periods of virtual instruction.

Special Education: Students received their special education services and supports with a special education teacher in the classroom, through a special education teacher in the virtual learning environment, and through students meeting with their special education case manager for support virtually or in person. Accommodations and related services continued to be provided to all students as outlined in their IEP. Special education students were provided access to special education teachers for one-on-one questions, additional support and/or supplemental instruction. Students also had the opportunity to meet with their special education case manager to provide additional instructional support, when needed.

BCJJC- Students expressed frustration on several fronts with packet work, including the following: Packets were not aligned to the grade level and classes in which the student was enrolled; Packets were a repeat of the same information previously learned and not academically challenging; Packets were difficult to complete without assistance from education personnel (page 9).

The majority of the students did not receive packets in January 2022 because instruction was being implemented virtually. Only students in the quarantine units and infirmary received packets due to a lack of Wi-Fi accessibility. The students in these areas did receive on grade level materials, but due to COVID did not have access to teachers. All instructional materials were approved and copied by the principals. However, some students may have been provided with grade level content materials until their transcripts (records) were received.

BCJJC- Roll-out of the virtual platform was fraught with delays and difficulties. Students reported: Difficulty logging on to the system; Teachers not being present for classes when students were logged in; Accommodations not being provided for special education students with an Individualized Education Program (IEP) (page 10).

There were some technical difficulties on the first day of virtual learning that resulted in the inability of some students to log into their classes. However, the principals personally log every student into their google classroom on day two and continued to log every student into their google classroom every day thereafter in the morning and when students returned from lunch. In addition, the education Resident Assistant staff were trained and occasionally assisted with logging students in to their google classrooms. All teachers were present on the platform to provide instruction. The students did remain in the google classrooms and did not visit other sites. This fact can be verified by checking the login history of each computer. Through checking the login history, verification can be made when the teachers were logged in, sites that were visited by teachers and students, and when the students were not logged in.

All google classrooms had a regular educator and a special educator assigned. The following accommodations were provided to the students, monitoring of responses, extended time, frequent breaks, use of calculation devices, and reader assistance. Additionally, all instructional materials sent to the units had accommodations and modifications.

BCJJC-Enhanced mental health involvement during school hours can aid in providing a more stable school environment. In Incident 170059 a fight broke out in a classroom during a monitoring visit and a youth involved indicated that he needed to be on medication for his behavior. The monitor requested an immediate mental health consult for the child, however it took 30 minutes for the clinician to respond to the request even though the youth was in a crisis situation (page 10).

This concern does not pertain to services provided by MSDE. Please consult with DJS regarding this issue and for a response about this concern. The MSDE does not provide mental health counselors at the schools.

BCJJC- There should be designated mental health clinicians who are integrated into school operations and located in close proximity to (or ideally, within) the school premises to help direct-care staff and education staff in de-escalation, to assist with stabilizing students in crisis, and to routinely support youth during the school day so that they can be mentally equipped to engage in learning inside the classroom (page 10).

This concern does not pertain to services provided by MSDE. Please consult with DJS regarding this issue and for a response about this concern. The MSDE does not provide mental health counselors at the schools.

BCJJC- Due to difficulty BCJJC has had in managing group dynamics during school hours, DJS administrators require certain groups to remain on their living unit during the school day. These students are provided with packets to do on their own as a substitute for classroom instruction. Students prohibited from travelling to school by administration should be provided with a teacher on their living unit to guide instruction (page 10).

The administration of educational services does not determine when and if students are prohibited from traveling to school. That determination is made by DJS. The DJS determines if a student can or cannot come to school. In these cases, the staffing model does not support providing a teacher for one student. However, teachers check on the student in the morning and in the afternoon.

Cheltenham- Students at Cheltenham spent a large portion of their time having to do packets of schoolwork on their own instead of attending virtual or in-person classes. Disruptions were due in part to staff shortages: On non-quarantine days, staffing issues prevented units from traveling to school for in-person or even virtual education on multiple occasions throughout

the quarter. These situations occurred due to lack of staff to escort youth to school and to supervise youth while in classrooms (page 15).

The MSDE is not responsible for ensuring that students transition to school when the DJS experience staffing shortages. Because there is no connectivity outside of the classrooms, students were provided with work packets to complete. The classroom teachers grade all work packets and grades are entered into the grading system.

Cheltenham- Students at Cheltenham spent a large portion of their time having to do packets of schoolwork on their own instead of attending virtual or in-person classes. Disruptions were due in part to difficulty managing youth behavior: Due to difficulty in managing group dynamics during school hours, Cheltenham administrators required youth on some units to alternate going to school at various times throughout the third quarter of 2022. The alternating school schedule persisted for over a week at a time for some units (causing many students to miss substantial class time). During periods when they are not in classes during school days, students were provided with packets of schoolwork to complete on their own. A youth (referring to his motivation to engage in academics), told a monitor that “it’s just not worth trying anymore” (due to the frequent disruptions in the school schedule). Students prohibited from travelling to school by administration due the facility’s inability to maintain safety should be provided with a teacher on the unit to guide instruction (page 15).

All behaviors by youth are addressed by DJS staff members. School leadership and teachers do not manage the behaviors, safety, and security of the schools. The “administrators” that are mentioned above are DJS administrators, not educational school administrators. The MSDE school leadership was not involved in the decision-making for using an alternative schedule.

Cheltenham- The school at Cheltenham only has one guidance counselor to provide services to students even though it is one of the three largest facilities within the DJS secure detention system. An additional guidance counselor should be recruited or transferred to Cheltenham to better serve the student population there (page 15).

School based leadership does not allocate employee PINS. It is accurate that there is only one PIN assigned for a guidance counselor at Cheltenham Youth Detention Center.

In February, teachers remained off-site, however virtual education was implemented across JSES schools in areas within facilities that could support online instruction. Some students in quarantine did not have access to online services and continued to do packet work (page 37).

There is a memorandum of understanding (MOU) between DJS and MSDE which was signed on September 28, 2021. The MOU clearly delineates that the DJS is responsible for internet access on student housing units. The MOU was enacted to ensure the availability of internet access in all areas

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

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

In-person instruction was restored in early March of 2022, however individual schools have retained virtual instruction for some classes due to teacher shortages (Page 37).

The education team at Garrett Children’s Center provides virtual instruction on an as needed basis at JSES schools. This teaching strategy allows students to continue to receive instruction from a teacher who is certified in the content areas in cases where a JSES school has a teaching vacancy. Students with disabilities who are enrolled in these courses also receive virtual special education support within their classes, in addition to support from an in-person special education case manager.

The education curriculum should be expanded to go beyond solely offering core high school classes and include career and technical education (CTE) opportunities that allow youth to gain knowledge and learn skills that prepare them for employment in the community (page 26, 37).

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

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

Strategies are needed to address the long-standing difficulty in recruiting and retaining teachers and other educational personnel which has resulted in widespread vacancies

throughout JSES schools (see vacancy list as of April //X below) (page 37).

Teacher shortages are a nationwide reality. A recent Frontline Education survey reveals that, “More than 1,000 districts nationwide reported having a teacher shortage. In cities, 75% of districts reported a shortage, compared with 65% in rural areas and 60% in the suburbs.” The pandemic has served to increase this reality.

In collaboration with the MSDE Human Resources (HR), weekly meetings continue as a concrete process to assist the JSES with hiring and retention of staff. Filling vacancies and hiring quality staff within our schools continues to be a major focus and goal. In collaboration with HR, the JSES staff reviews applications on a weekly schedule for all open positions within the schools and forward screened applications to principals for interviews. The MSDE is committed to filling vacant teacher positions with highly qualified teachers. Staffing is discussed with the DJS on a weekly basis. The “vacancy list as of April //X below,” a statement provided in the JJMU report, was not attached for MSDE to review which would allow MSDE an opportunity to respond.

Performance measures should be implemented across all JSES schools to ensure that academic engagement and progress are prioritized (page 37).

The MSDE reports Managing for Results (MFR) data as required by the State. The MFR reports data is reported in the following areas: academic gains in math and reading, number of students earning a high school diploma, post-secondary enrollment, and CTE enrollment. MFR report can be found at <https://dbm.maryland.gov/pages/managingresultsmaryland.aspx>