



---

## **Maryland Department of Juvenile Services**

### **Prison Rape Elimination Act**

### **2018 Annual Report**

---

*The mission of the Maryland Department of Juvenile Services (DJS) is a child-serving agency responsible for assessing the individual needs of referred youth and providing intake, detention, probation, commitment, and aftercare services. DJS collaborates with youth, families, schools, community partners, law enforcement, and other public agencies to coordinate services and resources to contribute to safer communities.*

**Sam Abed, Secretary**  
Maryland Department of Juvenile Services  
120 West Fayette Street  
Baltimore, Maryland 21201  
1-888-639-7499  
[www.djs.maryland.gov](http://www.djs.maryland.gov)

The Department of Juvenile Services has a zero tolerance policy for all acts of sexual abuse and harassment. The Department has established the Elimination and Reporting of Sexual Abuse and Harassment Policy and Procedures pursuant to the Prison Rape Elimination Act (PREA) Juvenile Facility Standards, to prohibit and prevent sexual abuse and harassment and to detect, report, investigate, and address any allegation of abuse or harassment involving any youth in the custody of the Department and its licensed or contracted residential program providers. The Department of Justice (DOJ) developed national standards to provide comprehensive guidelines for preventing, detecting, and eliminating incidents of sexual abuse and harassment involving adult inmates and youth in detention and residential facilities. The DOJ published final PREA Juvenile Facility Standards which became effective on August 20, 2012. The Maryland Department of Juvenile Services (Department, DJS) mandated all state operated residential facilities to comply with these standards.

The Department is committed to maintaining full compliance with the requirements of the Prison Rape Elimination Act (PREA) and most importantly providing safe and secure environments for youth. Extensive efforts are taken to comprehensively investigate all reported allegations of sexual abuse and harassment. Allegations are reported to Child Protective Services, the Maryland State Police and the DJS Office of the Inspector General for investigation. Management teams are required to review all investigations to determine the need for corrective actions, which may include policy and procedure modifications, training recommendations, physical plant enhancements, and staff and/or youth discipline.

Pursuant to PREA Juvenile Facility Standards §115.387, §115.388, and §115.389, the Department is mandated to collect data for each allegation of sexual abuse occurring in its facilities. This data must include, at a minimum, the data required to answer all questions from the most recent version of the Survey of Sexual Victimization conducted by the Department of Justice Bureau of Statistics.

Additionally, the Department is required to obtain incident-based and aggregate data from contracted private providers. The agency has redacted specific material from publication such as personal identifying information and information that would present a clear and specific threat to the safety and security of the agency's facilities. Lastly, the agency ensures the data collected is readily available to the public through our website and data is retained for the required number of years as required by law.

**This report analyzes the DOJ Survey of Sexual Victimization data for calendar year 2017. This report also compares data for calendar years 2015, 2016, 2017 and provides a five-year trend analysis.**

**Data is categorized in the following areas:**

- Staff-on-Youth Sexual Harassment
- Staff-on-Youth Sexual Misconduct
- Youth-on-Youth Sexual Harassment
- Youth-on-Youth Abusive Sexual Contact
- Youth-on-Youth Nonconsensual Sexual Acts

The DOJ Survey of Sexual Victimization defines the following four investigation outcomes.

- **Substantiated** - the event was investigated and determined to have occurred, based on a preponderance of the evidence.
- **Unsubstantiated** - the investigation concluded that evidence was insufficient to determine whether or not the event occurred.
- **Unfounded** - the investigation determined that the event did not occur.
- **Investigation Ongoing** - evidence is still being gathered, processed or evaluated, and a final determination has not yet been made.

**SECTION I**

**STATE OPERATED FACILITIES**

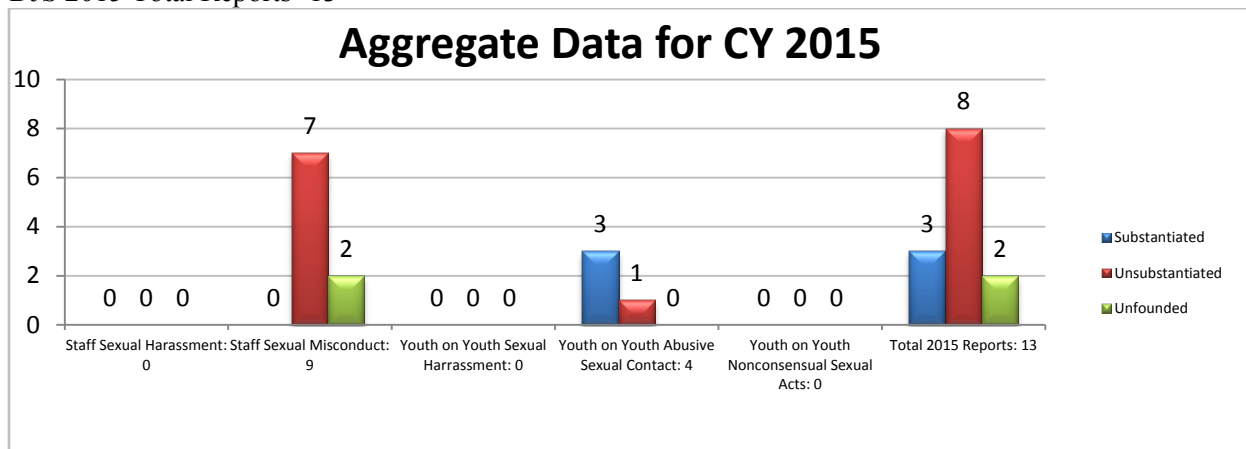
**Figure 1. Demographics**

The following aggregate data depicts the basic demographics by total admissions and discharges, yearly census, gender, and age.

	2015	2016	2017
<b>Number of DJS facilities holding youthful offenders</b>	14	13	13
<b>Total Census December 31</b>	<b>448</b>	<b>425</b>	<b>366</b>
Male	408	384	330
Female	40	41	36
Age 17 and younger	389	362	314
Age 18-20	59	62	52
Age 21 or older	0	1	0
<b>Annual Total youth admitted</b>	<b>3,983</b>	<b>3,221</b>	<b>2,858</b>
<b>Annual Total youth discharged</b>	<b>3,962</b>	<b>3,224</b>	<b>2,912</b>

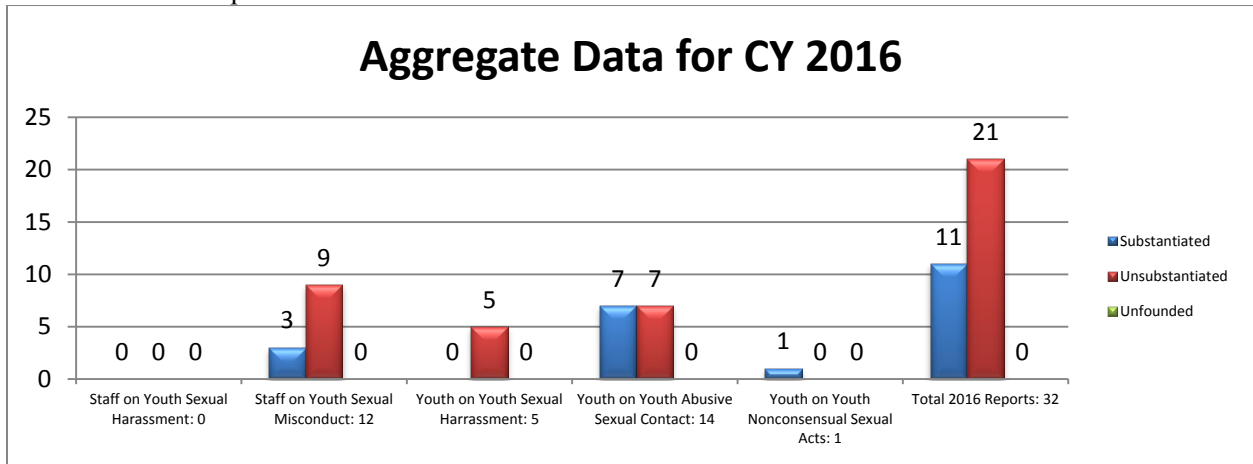
**Figure 2. Aggregate data for calendar year 2015 by category.**

DJS 2015 Total Reports- 13



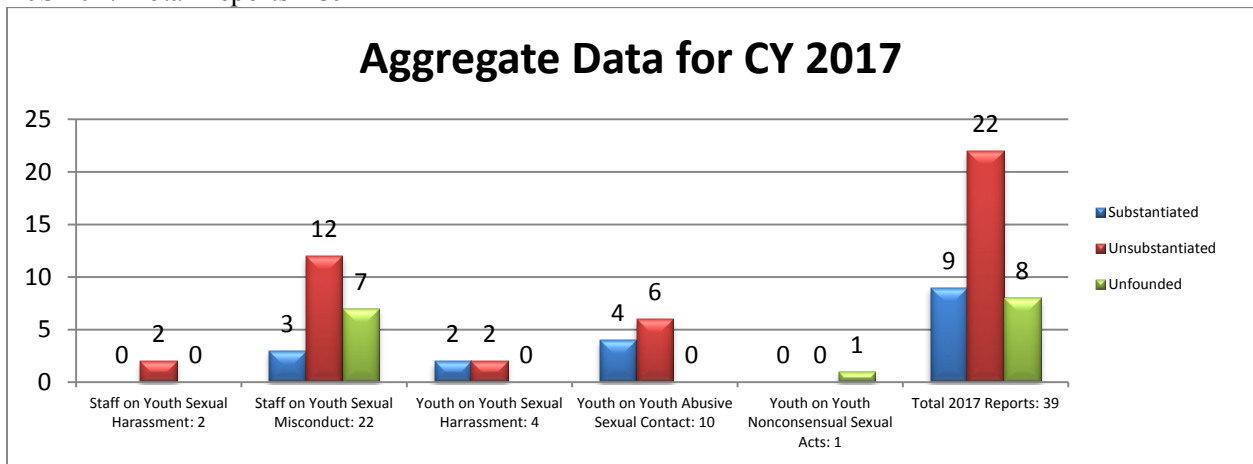
**Figure 3.** Aggregate data for calendar year 2016 by category.

DJS 2016 Total Reports – 32



**Figure 4.** Aggregate data for calendar year 2017 by category.

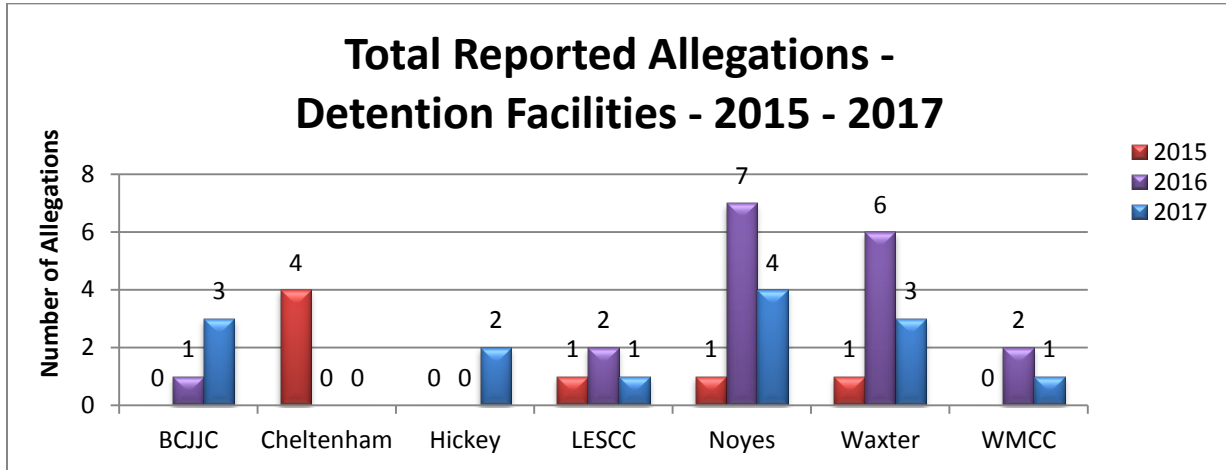
DJS 2017 Total Reports – 39



**List of DJS Facilities:**

- Backbone Mountain Youth Center (BMYC)
- Baltimore City Juvenile Justice Center (BCJJC)
- Cheltenham Youth Detention Center (CYDC)
- Green Ridge Youth Center (GRYC)
- Charles H. Hickey, Jr. School (CHHS)
- J. DeWeese Carter Children’s Center
- Lower Eastern Shore Children’s Center (LESCC)
- Meadow Mountain Youth Center (MMYC)
- Alfred D. Noyes Children’s Center
- Savage Mountain Youth Center (SMYC)
- Thomas J.S. Waxter Children’s Center
- Victor Cullen Center (VCC)
- Western Maryland Children’s Center (WMCC)

**Figure 5.** Total Reported Allegations- Detention Facilities (CY2015- CY2017)



**Figure 6.** Total Reported Allegations- Committed Facilities (CY2015- CY2017)

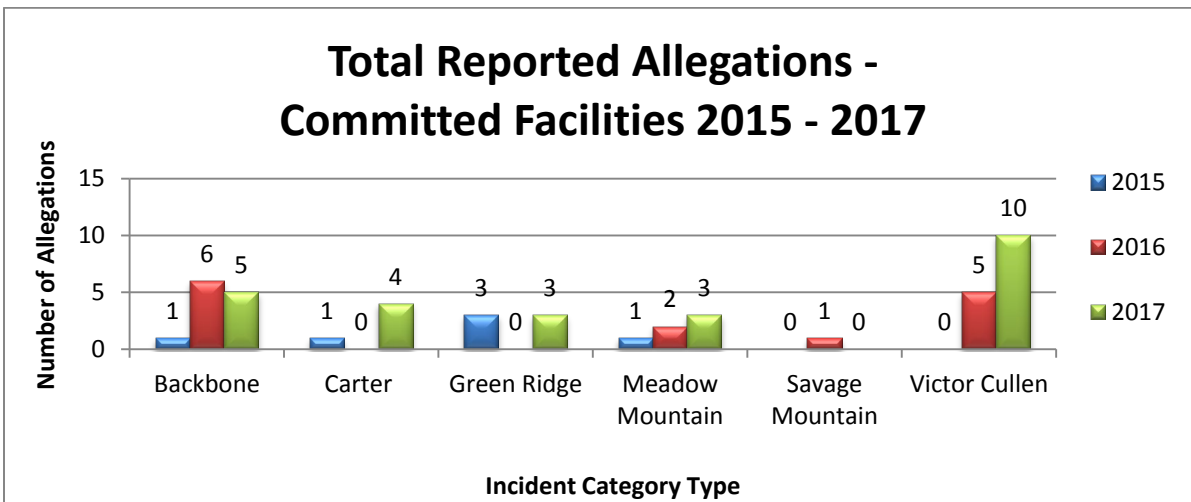
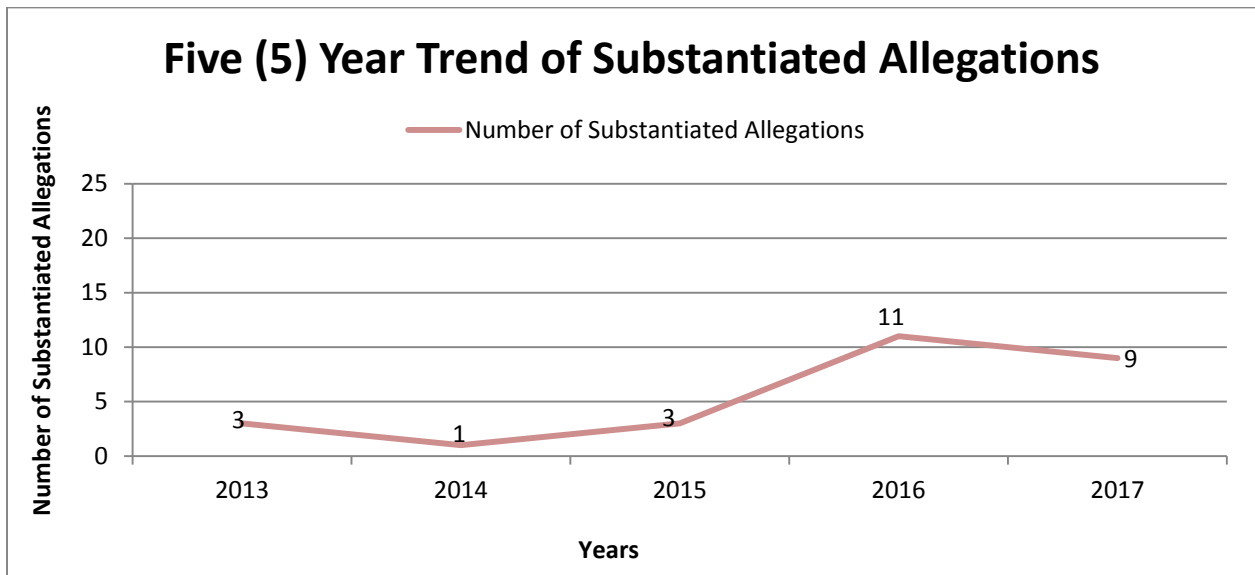
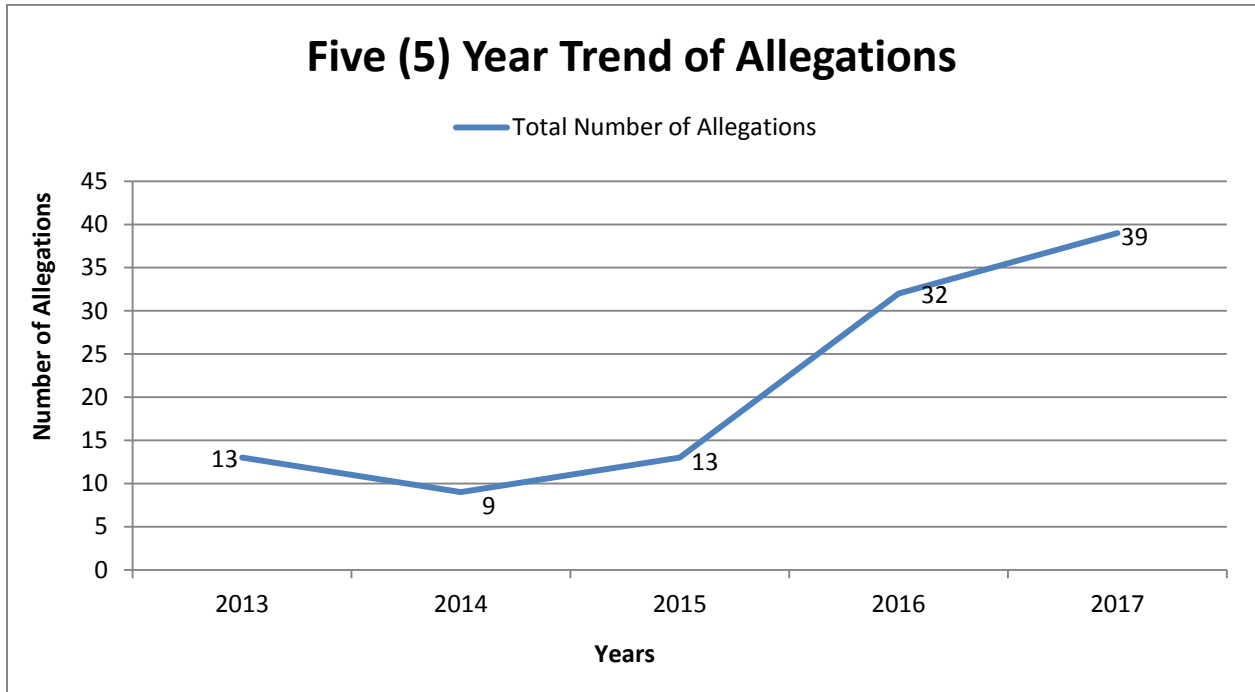
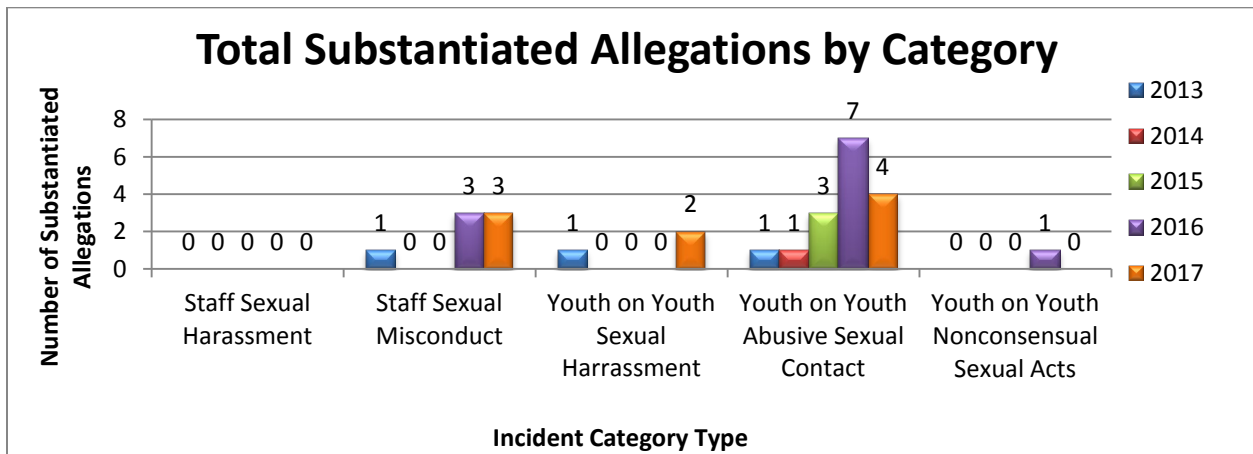
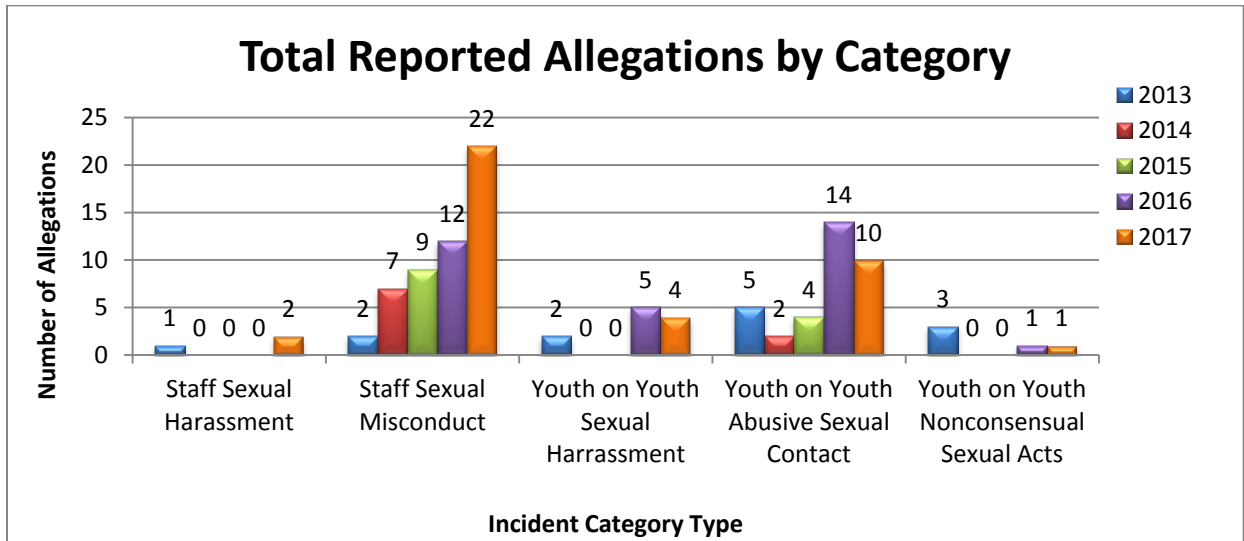


Figure 7. Total Reported Allegations – Five (5) Year Trend



**Figure 8.** Total Reported Allegations – Five (5) Year Trend by Category.





## **DJS Data Analysis**

The Department of Juvenile Services operates thirteen residential facilities, seven detention centers and six committed facilities. In calendar year 2017, there were thirty-nine (39) alleged incidents of sexual abuse reported across eleven facilities. All incidents were referred for investigation by Maryland State Police, Child Protective Services and the Office of the Inspector General. Investigations determined that 9 of the 39 allegations were substantiated. Management carefully reviewed all investigations and took corrective action where appropriate.

### *Substantiated Incidents*

- Four (4) incidents of youth on youth abusive sexual contact: three (3) of the incidents involved youth touching, one (1) incident of horseplay of a sexual nature. All youth were separated for their safety, they received counseling, and were held accountable through the behavior management program as appropriate.
- Two (2) incidents of youth on youth sexual harassment: two (2) involved repeated comments. All youth were separated for their safety, received counseling, and were held accountable through the behavior management program as appropriate.
- Three (3) incidents of staff on youth sexual misconduct: one (1) incident of a sexual act involving a male staff and a female youth that occurred in the community, outside of the facility; and two (2) incidents of staff inappropriately wrote letters to youth. Staff and youth were immediately separated. Corrective actions included separation of employment and referrals for criminal prosecution. Staff also received additional training on professionalism and appropriate boundaries with youth.

### *Aggregate Data Analysis*

The trends for reported allegations have continued to increase since 2013 as indicated in the tables included in this report. In 2016, there were 32 allegations compared to 13 in 2015, and 9 in 2014. The increase of allegations can continue to be attributed to the department's steadfast focus to educate youth regarding sexual abuse and harassment, make available multiple methods of reporting, and perform consistent and thorough investigations of all allegations.

Over the same time period, the total substantiated incidents were 9 in 2017 compared to 11 in 2016, indicating a decrease. For 2017, substantiated incidents were, three (3) staff on youth sexual misconduct; most notably, youth on youth sexual contact incidents decreased to four (4) in 2017 compared to seven (7) in 2016. The decrease can be attributed to a continued effort in maintaining a reporting culture and youth concerns were taken serious, ability to trust staff, and feel sexually safe in all DJS facilities. A review of youth on youth incidents shows that the majority of allegations were associated with incidents of youth conflict and inappropriate horseplay.

*Facility Analysis of Substantiated Incidents*

- Backbone Mountain Youth Center – One (1) incident of youth on youth abusive sexual contact. The incident involved a male youth using a pool stick to poke another male youth in the buttocks.
  - Corrective action – Youth were counseled and directed to stop incidents of horseplay that involve touching in a sexual way. Youth continue to be educated about issues of abuse and how to report. The facility has a PREA resource center that posts education material on ways to make a report and contact information on who they can report to including outside entities and third party reporting sources.
- Baltimore City Juvenile Justice Center – One (1) incident of staff on youth sexual misconduct. A female staff wrote a letter to a male youth conveying a sexual interest and relationship.
  - Corrective action – The staff was immediately removed from having contact with all youth pending an investigation by Child Protective Services, Maryland State Police, and the Office of the Inspector General. The staff resigned and no longer works for the department.
- Lower Eastern Shore Children’s Center - One (1) incident of youth on youth abusive contact. The incident involved a female youth directly touched another female youth in the genital area.
  - Corrective action- Youth were seen by medical and received counseling by behavioral health staff. Both youth were held accountable for their conduct. All youth continue to be educated about issues of abuse and how to report.
- Alfred D. Noyes Children’s Center - Two (2) incidents; one (1) incident of youth on youth abusive sexual contact. A female youth touched another female youth on the breast area outside of her clothing. One (1) incident of staff on youth sexual misconduct. A female staff wrote a letter to a male youth conveying a sexual interest and relationship.
  - Corrective action – The youth were separated and seen by medical and behavioral health staff in the youth on youth incident. In the staff on youth incident the youth and staff were separated. The staff was terminated and no longer works for the department.
- Carter Center- Two (2) incidents; one (1) incident of youth on youth abusive contact. A female youth touched another female youth in the genital area outside of her clothing. One (1) incident of staff on youth sexual misconduct. A male staff had a sexual encounter with a female youth that happened off grounds when the youth was on a home visit.
  - Corrective action – The youth were separated and seen by medical and behavioral health staff in the youth on youth incident. In the staff on youth incident, staff was immediately removed from having contact with all youth pending an investigation by Child Protective Services, Maryland State Police, and the Office of Inspector General.

The staff was terminated and no longer works for the department. He was criminally charged and prosecuted. Facility operating procedures at Carter Center and across the system were modified when custody transfers from facility to the community.

- Green Ridge Youth Center-Mountain Quest – One (1) incident of youth on youth sexual harassment. The incident involved repeated comments by a male youth to another male youth proceeded by horse play resulting in the pulling down the youth’s pants exposing his buttocks.
  - Corrective action – Youth were counseled and directed to stop incidents of horseplay. The aggressor was referred to law enforcement and counseled prior to his transfer to another facility. Youth continue to be educated about issues of abuse and how to report. The facility has a PREA resource center that posts education material on ways to make a report and contact information on who they can report to including outside entities and third party reporting sources.
- Charles H. Hickey Jr. School- One (1) incident of youth on youth sexual harassment. The incident involved repeated comments by a male youth to another male youth.
  - Corrective action – Youth were counseled and directed to stop incidents of horseplay. The aggressor was held accountable through the behavioral management process then transferred to another facility. Youth continue to be educated about issues of abuse and how to report.

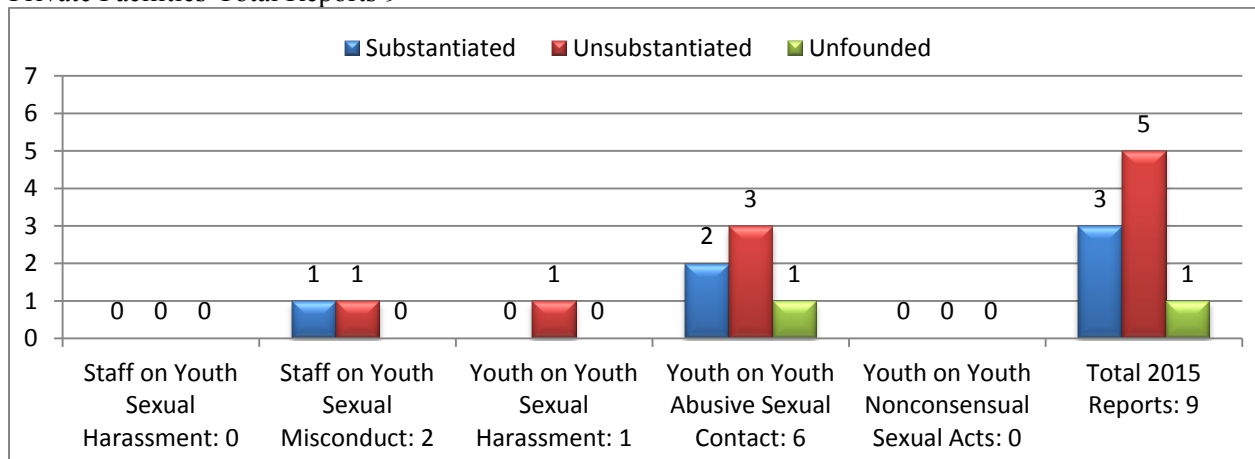
**SECTION II**  
**PRIVATE PROVIDERS**

**Figure 9. Basic Demographics\***

	2015	2016	2017
<b>Number Private Providers Servicing DJS Youth*</b>	<b>56</b>	<b>53</b>	<b>52</b>
Total Census December 31	311	252	214
Male	250	210	185
Female	61	42	29
Age 17 and younger	207	160	148
Age 18-20	104	91	66
Age 21 or older	0	1	0
Annual Total youth admitted	<b>637</b>	<b>521</b>	<b>427</b>
Annual Total youth discharged	<b>770</b>	<b>582</b>	<b>464</b>

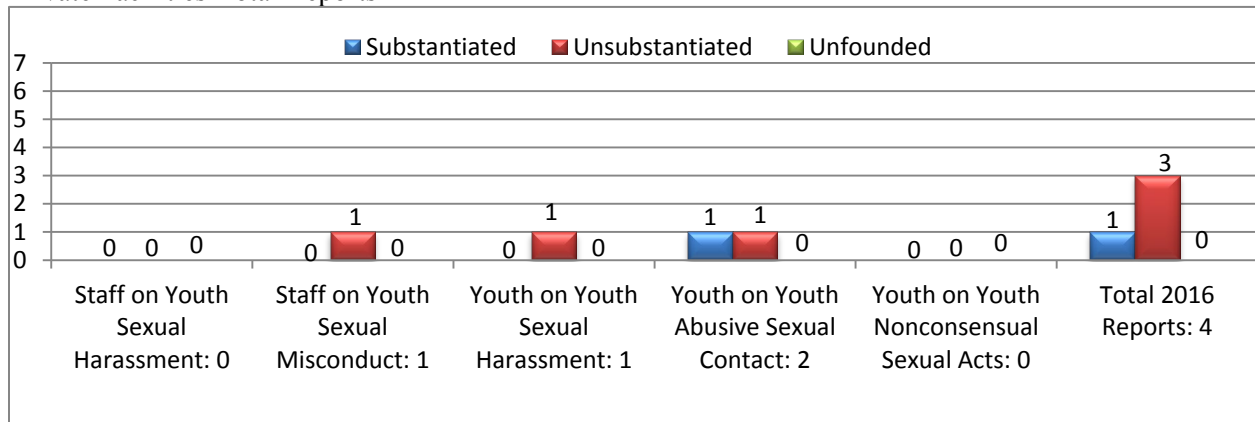
**Figure 10.** Aggregate data for calendar year 2015 by category.

Private Facilities-Total Reports 9



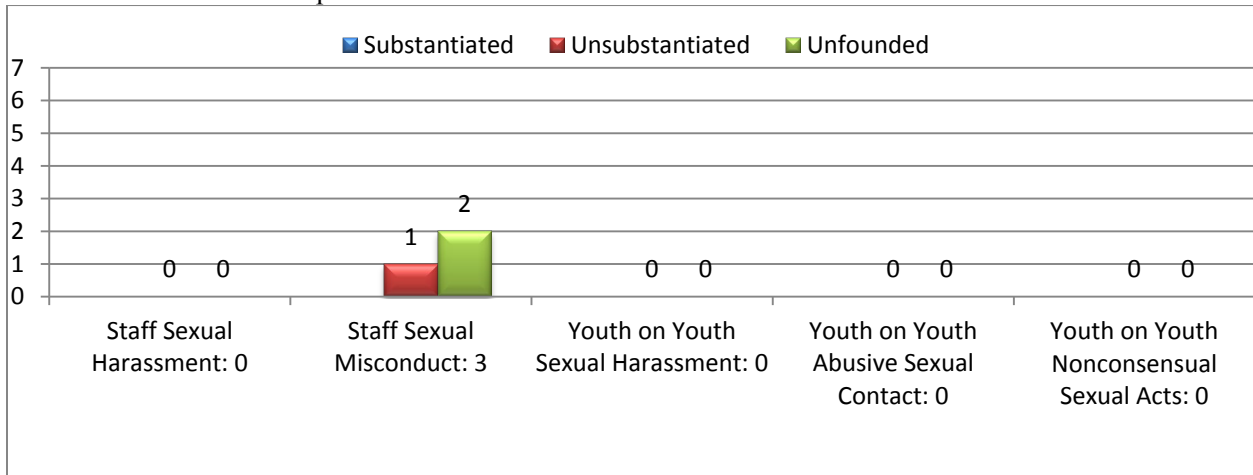
**Figure 11.** Aggregate data for calendar year 2016 by category.

Private Facilities-Total Reports 4



**Figure 12.** Aggregate data for calendar year 2017 by category.

Private Facilities-Total Reports 3



List of Private Providers:

- Cornell Abraxas- PA
- Hearts and Homes - MD
- Mentor MD
- Natchez Trace Youth Academy – TN
- San Mar - MD
- Summit Academy - PA

**Figure 13-Aggregate Data by Private Provider for Calendar Years 2014, 2015, and 2016**

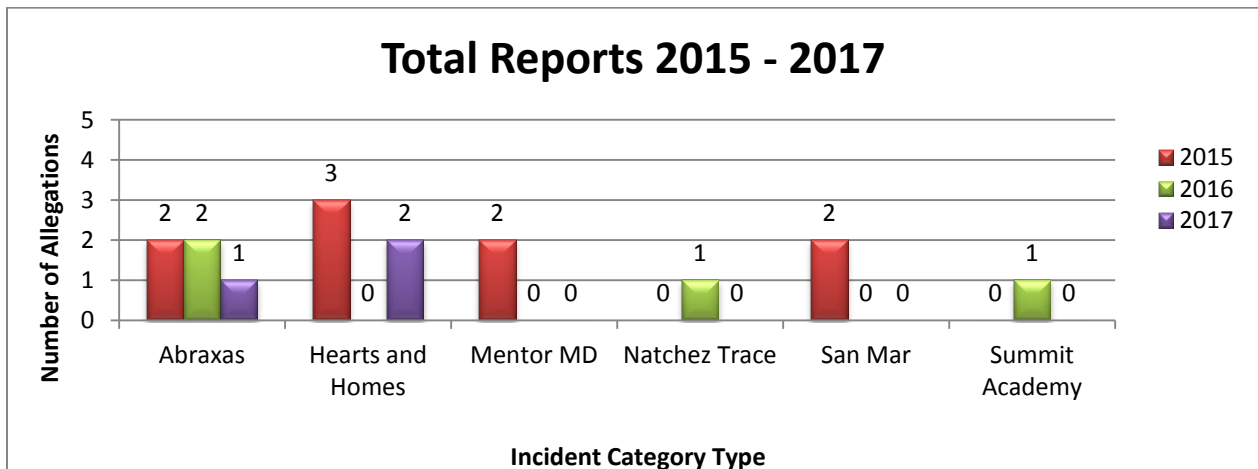


Figure 14 -Total Reported Allegations – Three (3) Year Trend

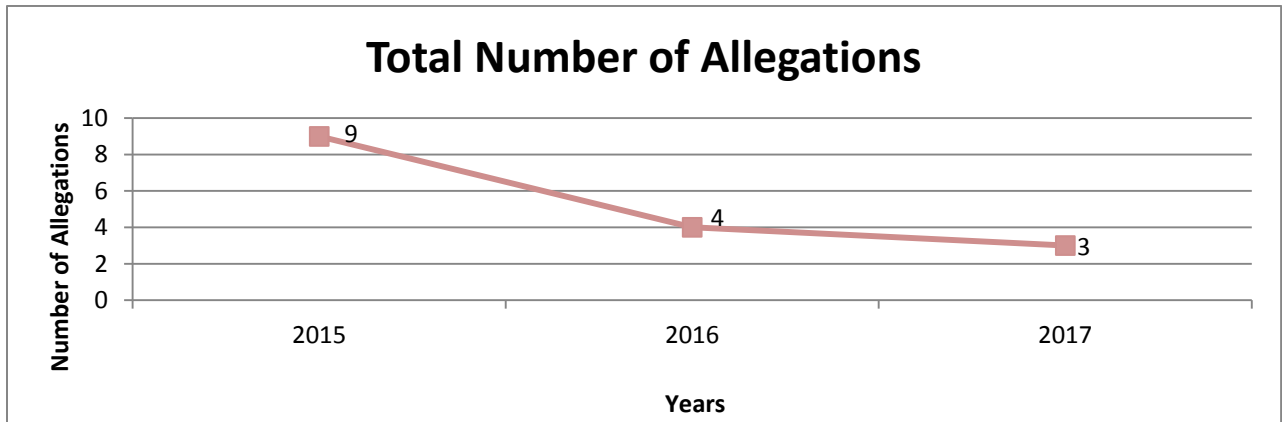
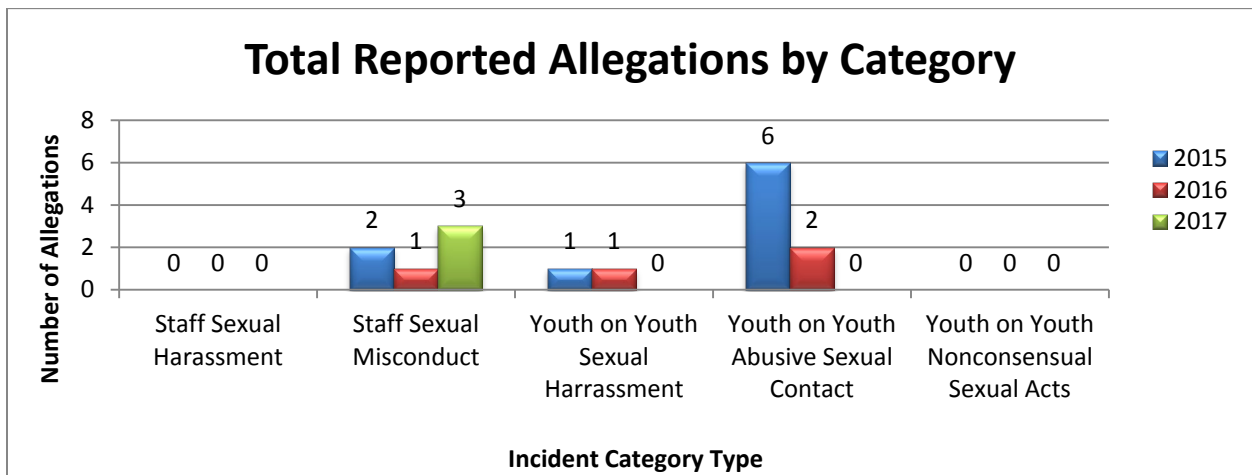


Figure 15 -Total Reported Allegations – Three (3) Year Trend by Category.



### **Private Provider Facility Analysis**

Private provider services are monitored by the DJS Quality Assurance Unit. In 2017, there were three (3) allegations reported across two (2) facilities, one (1) unsubstantiated and two (2) unfounded findings. There were no substantiated incidents in 2017.

- Cornell Abraxas Academy- One (1) unfounded case of staff on youth sexual misconduct. A male youth alleged having sex with female staff after his discharge from the facility.
  - Corrective Action: Immediate contact to Child Protective Services for investigation through evidence Child Protective Services determined the incident did not occur.
- Hearts and Homes- Two (2) incidents of staff on youth sexual misconduct. One (1) unfounded incident reported by a witness of a female youth having sexual relations with a male staff. One (1) unsubstantiated incident of a male staff invaded a female youth's privacy while taking a shower and made inappropriate and derogatory comments about her body.
- Corrective action – Both staff were removed from having contact with youth pending the outcome of the investigation. The two youth were counseled by the Program Director.

Aggregate data for the past three years as shown in the tables in this report reflect a limited number of allegations reported by private providers, nine (9) in 2015, four (4) in 2016, three (3) in 2017. Substantiated incidents were three (3), one (1) and zero (0) in the respective years.

## ACCOMPLISHMENTS

The Department of Juvenile Services continuously assesses the physical environment, investigates and completes incident reviews to eliminate sexual abuse and harassment within facilities. All PREA standards have been integrated into daily operating policy and procedures. The PREA Coordinator oversees facility compliance and meets quarterly with Compliance Managers from each facility to review incidents and assess agency wide systems related to PREA. The department has conducted mock audits to maintain the highest levels of compliance with PREA standards.

Video surveillance systems continue to be upgraded and additional cameras have been installed to enhance surveillance and eliminate blind spots. Video surveillance has been an invaluable tool to assist with investigations.

Training continues to be a significant focus. The following was completed during 2017.

- PREA Standards Quick Series pocket guides continue to be purchased and distributed to staff as a way to improve staff knowledge and understanding of the standards.
- Over 1,100 direct care staff completed the departmental initial and annual in-service PREA training. Behavioral health and medical professionals completed the specialized training for professionals offered by the National Institute of Corrections.
- In 2017, Maryland Coalition Against Sexual Assault (MCASA) provided victim advocacy training. Agency staff received training to serve as qualified staff members to respond and support victims pending arrival of an advocate to certified hospitals.
- Annual training was completed with outside entities for youth to directly report allegations to Maryland 211. Call specialists from across the state received training to improve skills for answering PREA related calls, accurate and timely reporting and documentation.
- Through the Department of Justice- PREA “Zero Tolerance” Cultures for Sexual Assault in Correctional Facilities Grant, The Moss Group was contracted to provide technical assistance in policy review analysis and recommendations for revisions and additional staff training. Specifically, The Moss Group began a comprehensive review of ten agency policies and procedures relating to PREA. In the upcoming year, additional specialized staff training and train the trainer sessions will be provided.



The Maryland Department of Juvenile Services will continue its commitment to provide for the safety and well-being of the youth we serve. We continue to invest resources to educate the youth, train staff, modify operating policies and procedures, and upgrade facility physical plants to support the prevention, detection, reporting and investigating of all forms of sexual abuse.

---

Sam Abed, Secretary  
Maryland Department of Juvenile Services