



Maryland Department of Juvenile Services Prison Rape Elimination Act 2020 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
217 East Redwood Street
Baltimore, Maryland 21201
1-888-639-7499
www.djs.maryland.gov

The Department of Juvenile Services (DJS) has a zero tolerance policy for all acts of sexual abuse and harassment. DJS 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 DJS custody 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. DOJ published final PREA Juvenile Facility Standards, which became effective on August 20, 2012. In 2012, DJS mandated all state operated residential facilities to comply with these standards.

DJS 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 staff and/or youth corrective action, policy and procedure modifications, training recommendations, and physical plant enhancements.

Pursuant to PREA Juvenile Facility Standards §115.387, §115.388, and §115.389, DJS 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 DOJ Bureau of Statistics.

Additionally, DJS 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 2019, compares data for calendar years 2017-2019 and provides a five-year trend analysis.

Aggregated 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 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

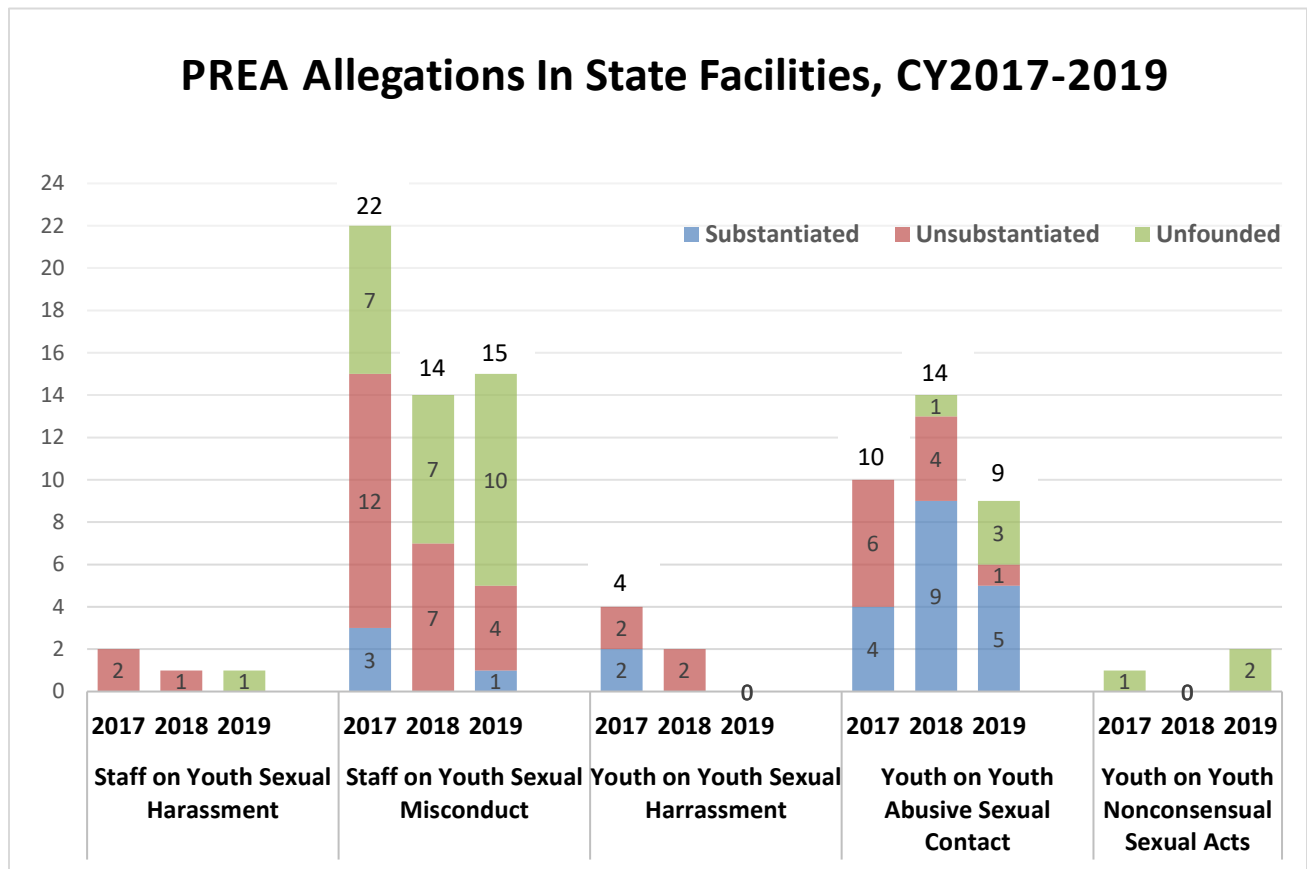
STATE OPERATED FACILITIES

Figure 1. Demographics

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

	2017	2018	2019
Number of DJS facilities holding youthful offenders	13	13	13
Total Census December 31	366	372	347
Male	330	325	306
Female	36	47	41
Age 17 and younger	314	312	289
Age 18-20	52	60	58
Age 21 or older	0	0	0
Total youth admitted	2,858	2,552	2,162
Total youth discharged	2,912	2,575	2,187

Figure 2. Aggregate data for calendar years 2017-2019 by allegation and investigation outcome.



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 (LES CC)
- 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 3. Total Reported Allegations- Detention and Committed Facilities CY2017- CY2019.

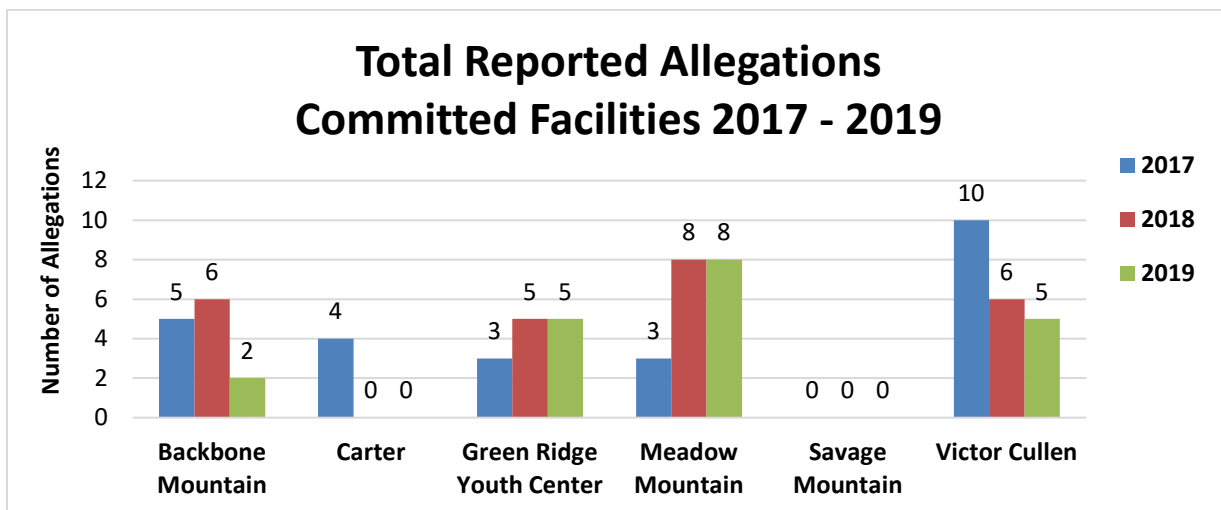
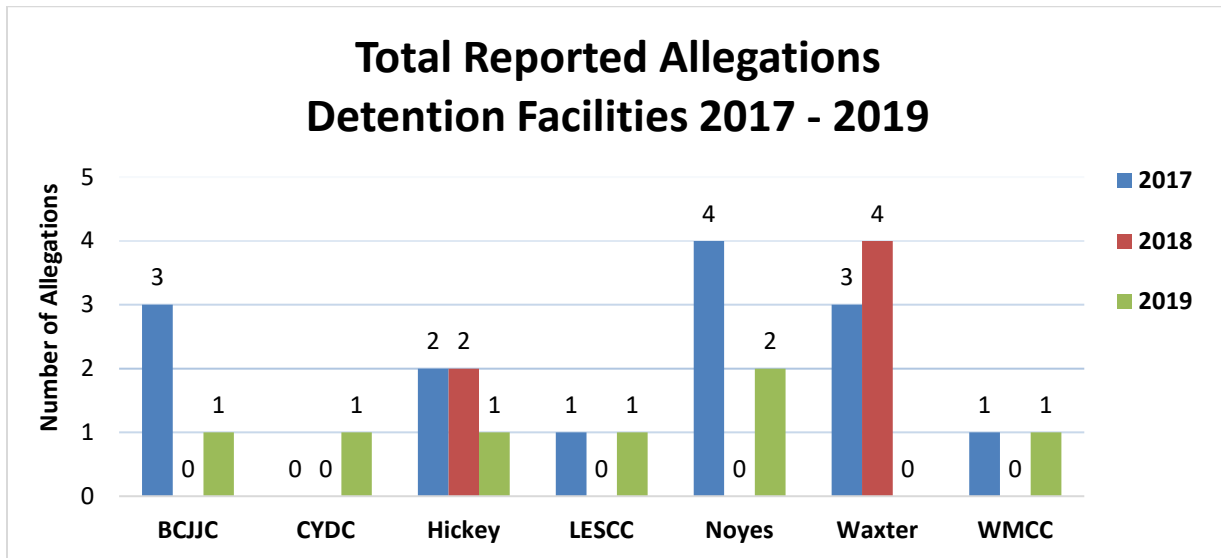


Figure 4. Total Reported Allegations – Five (5) Year Trend

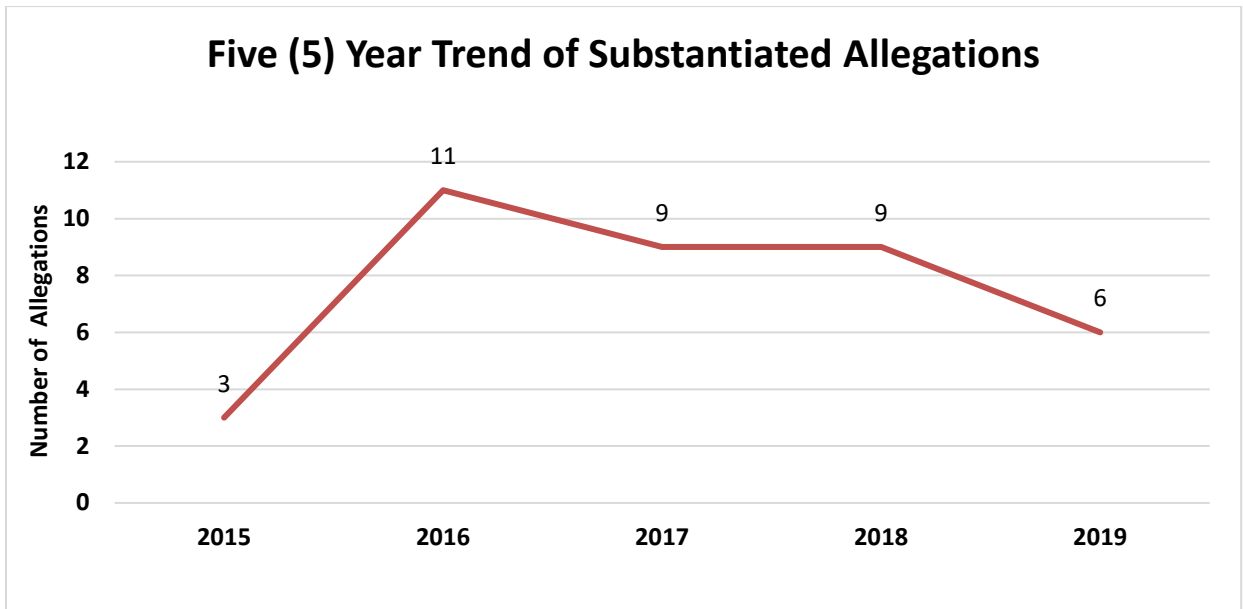
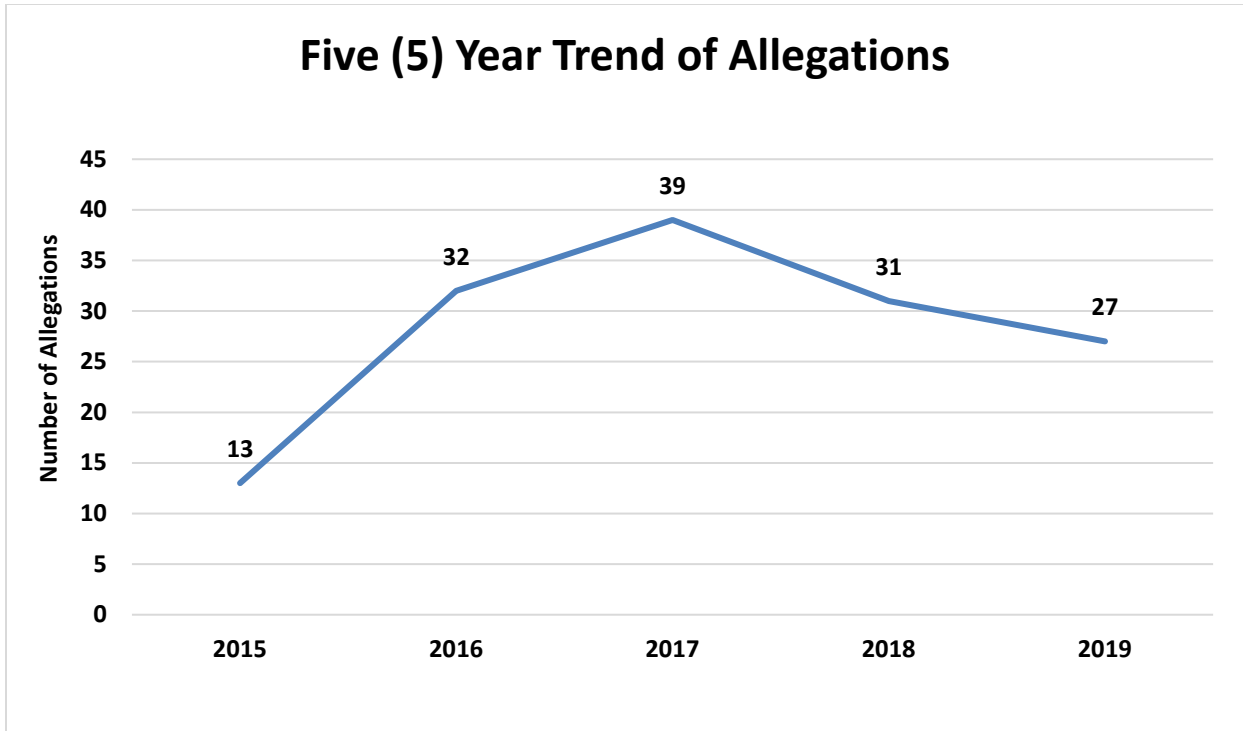
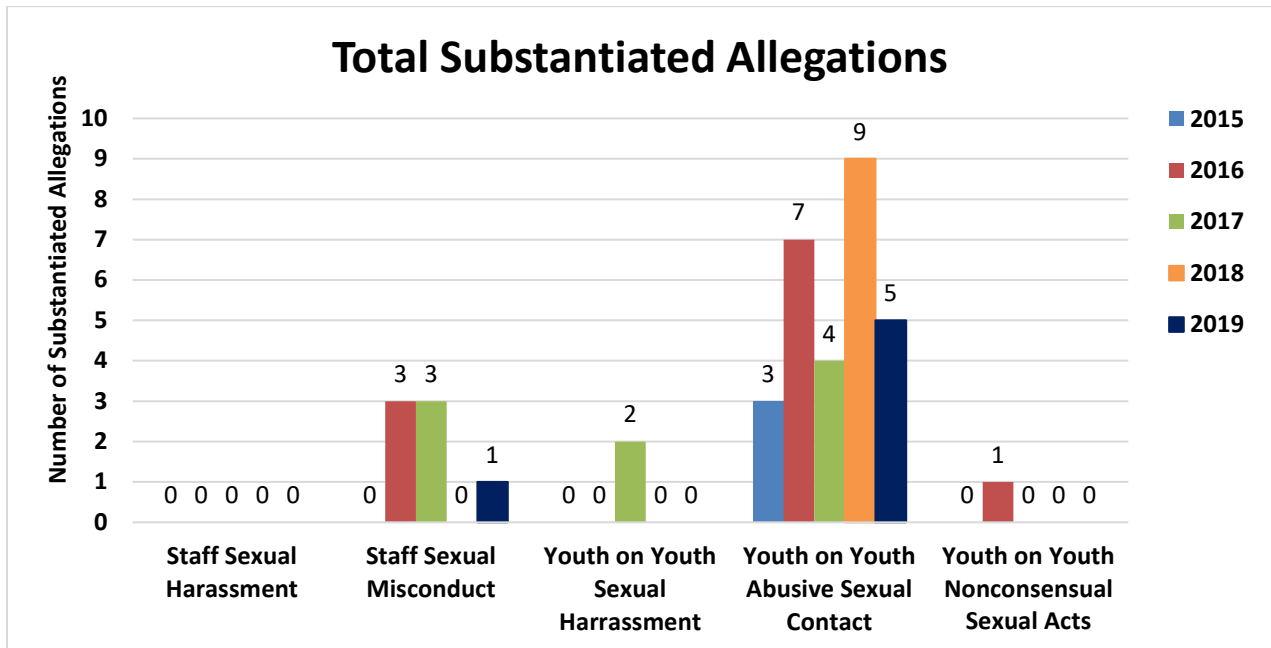
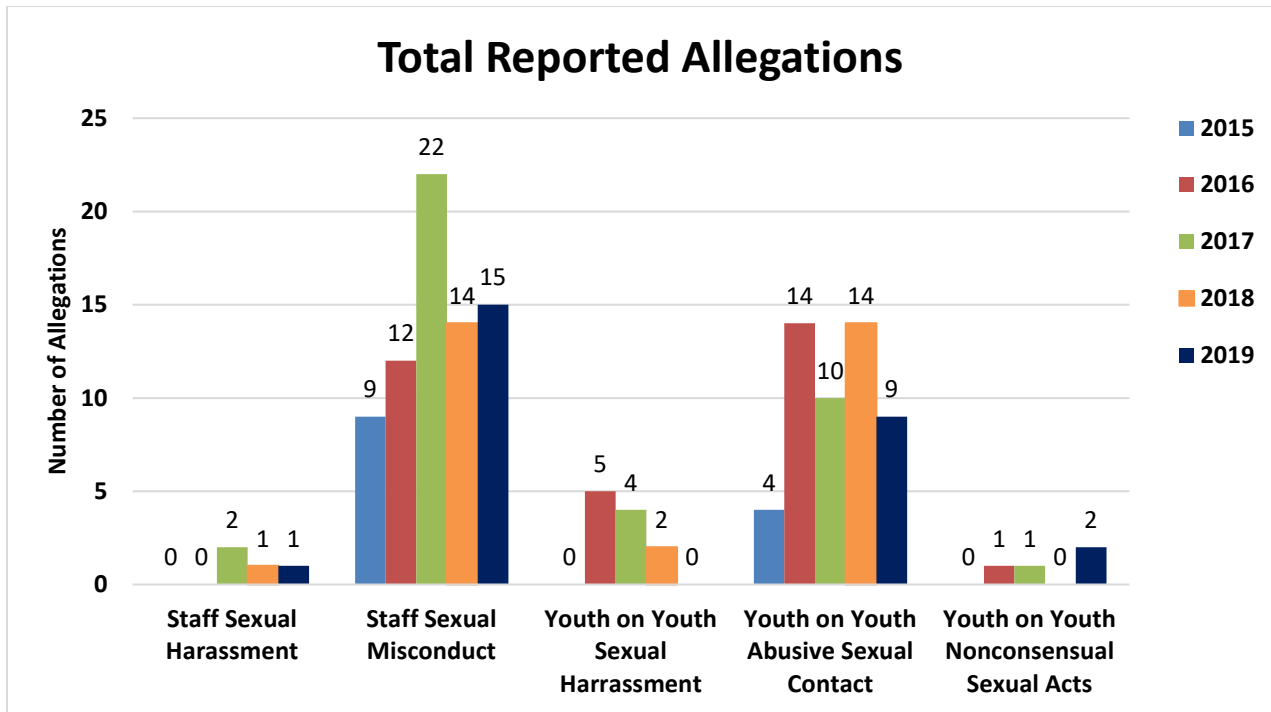


Figure 5. Total Reported Allegations – Five (5) Year Trend by Allegation.



DJS Data Analysis

DJS operates thirteen residential facilities, seven detention centers and six committed facilities. In calendar year 2019, there were twenty-seven (27) alleged incidents of sexual abuse reported across eight (8) facilities, four (4) committed and four (4) detention facilities. The total number of incidents decreased from the previous year, 2018 by thirteen percent (13%). For the second straight year, the total number of sexual abuse and sexual harassment allegations have resulted in a downward trend. All sexual abuse and harassment incidents were referred for criminal investigations to the Maryland State Police, Child Protective Services, and administrative investigations were conducted by the DJS Office of the Inspector General.

Criminal and Administrative investigations determined that six (6) of twenty-seven (27) allegations, five (5) youth on youth abusive sexual contact and one (1) staff sexual misconduct were determined substantiated, down a total of three (3) from the previous calendar year. Video surveillance has been an invaluable tool to assist with investigations. Management carefully reviewed all investigations and took corrective action where appropriate.

Substantiated Incidents

- Five (5) incidents were youth on youth abusive sexual contact: Three (3) incidents of contact involved horseplay. Youth were separated for their safety, they were seen by medical and referred to mental health professionals for safety planning, were held accountable through the behavior management program as appropriate, and re-educated on program rules and expectations. Two (2) incidents of contact were a result of unwanted touching surprising the victim, youth were separated for their safety, received counseling, and were held accountable through the behavior management program as appropriate.
- Of the five (5) incidents, zero (0) youth were charged by law enforcement, however, the youth were held accountable through the behavior management program.
- One (1) incident of staff on youth sexual misconduct involved a female direct care staff and male youth that resulted in a sexual relationship that appeared to be willing. The female staff was removed from having further contact with the youth and placed on administrative leave pending the outcome the investigation. Corrective actions included separation of employment, arrested and charged by law enforcement, and referred for criminal prosecution. Direct care staff received additional training on professionalism and appropriate boundaries with youth.

Aggregate Data Analysis

The trends for total reported allegations for calendar years 2014 through 2017 showed a sizable increase attributed to the department's steadfast focus to educate youth on all topics related to sexual abuse and harassment to include multiple methods for reporting allegations, being aware of their surroundings and how youth interact with one another.

Substantiated incidents over the same period were unchanged averaging nine (9) substantiated incidents. Beginning in 2018 and holding true for 2019, the total overall number of allegations have resulted in a downward trend with a reduction of twenty-one percent (21%) and thirteen percent (13%) in 2019. From the height of thirty-nine (39) allegations in 2017 compared to 2019, there was an overall decrease of thirty percent (30%) in just two years.

For 2019, there was a total of six (6) substantiated incidents, of which five (5) incidents were youth on youth sexual abusive contact and one (1) staff sexual misconduct incident. A review of youth on youth incidents shows that three (3) incidents were associated with inappropriate horseplay and two (2) incidents of unwanted touching. The one (1) incident of staff on youth sexual misconduct involved a female direct care staff and male youth that resulted in a sexual relationship that appeared to be willing.

In 2019, the total number of youth on youth sexual harassment incidents were reduced to zero incidents compared to two the previous year. The reduction is due to staff increasing their presence and supervision, more interaction with youth, and immediately addressing verbal inappropriate comments. Overall, youth on youth sexual abusive contact incidents reduced 35% compared to 2018, this contributed to educating youth on a wide array of preventative measures through their entire length of stay. There was a slight increase of two incidents of youth on youth nonconsensual sexual acts. After prompt and thorough administrative and criminal investigations, both incidents were determined not to have occurred resulting in an unfounded outcome. Staff sexual harassment incidents remained the same as the previous year with one (1) incident resulting in an outcome of unsubstantiated.

Four of the six substantiated incidents occurred in the committed facilities, which are staff secure settings where youth movement is controlled by staff supervision rather than by restrictive architectural features. Staff secure facilities are dorm like settings where youth do not have individual rooms.

Facility Analysis of Substantiated Incidents

- Green Ridge Youth Center – Two (2) incidents of youth on youth abusive sexual contact. The nature of both incidents involved horseplay and contact unwanted and surprised the victim when aggressor smacked the youth on the buttock and in the genital areas.
 - Corrective action – Both victims were separated from the aggressors, provided a medical examination, and referred to behavioral health for follow up treatment. Both aggressors involved were held accountable through the behavior management system as appropriate.
- Meadow Mountain Youth Center – One (1) incident of youth on youth abusive sexual contact that involved horseplay and unwanted touching when the aggressor grabbed the victim's buttock.

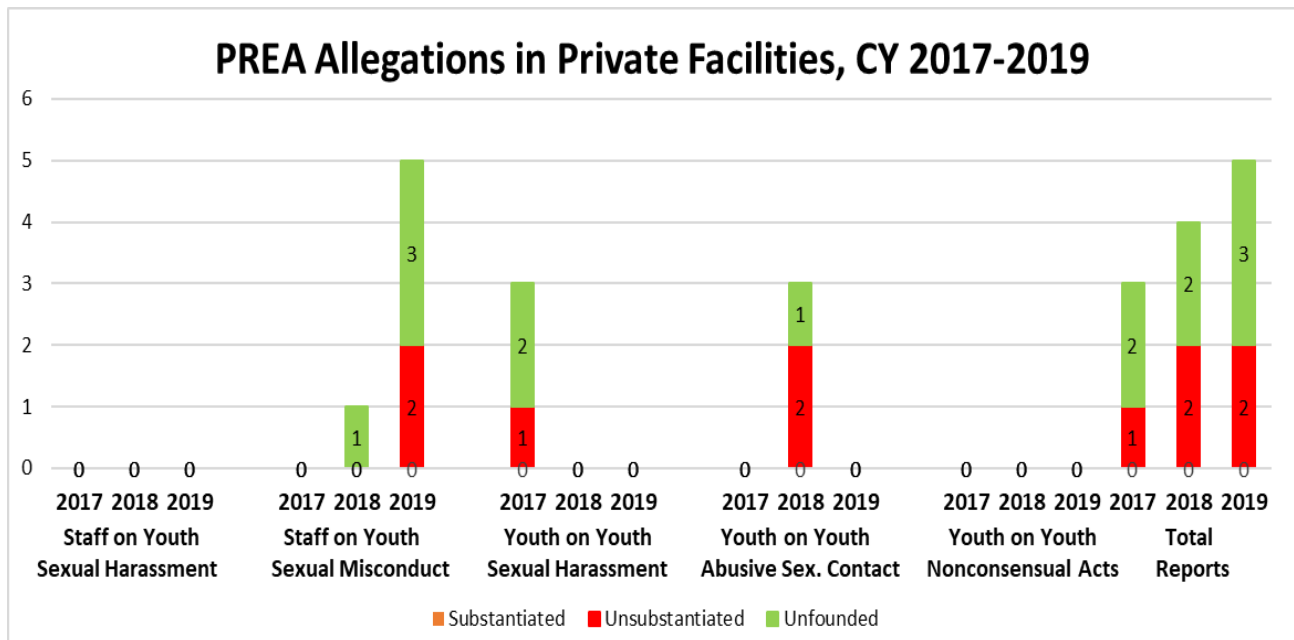
- Corrective action – The victim was seen by medical but refused treatment and referred to behavioral health. Youth involved were counseled and directed to stop all incidents of horseplay; and the aggressor was held accountable through the behavior management system as appropriate. Youth were educated on program rules and expectations.
- Charles H. Hickey Jr. School- One (1) incident of youth on youth sexual abusive contact. The nature of the incident was unwanted touching on the genital area for sexual gratification.
 - The victim, a transgender youth, was separated from the aggressor, given a medical examination, and provided behavioral health services. The aggressor was separated from the victim after being transferred to another living unit with a higher level of supervision, referred to medical and behavioral health services and held accountable through the behavior management system. Youth were educated on program rules and expectations.
- Lower Eastern Shore Children Center- One (1) incident of youth on youth abusive sexual contact that involved unwanted touching when the aggressor smacked the victim in the genitals.
 - Corrective action – The victim was seen by medical for an examination and referred to behavioral health. The aggressor was separated from the victim and transferred to another living unit, referred to behavioral health for counseling and held accountable through the behavior management system as appropriate. Follow up education was provided to youth on program rules and expectations.
- Backbone Mountain Youth Center – One (1) incident of staff on youth sexual misconduct involved a female direct care staff and male youth that resulted in a sexual relationship that appeared to be willing. The female staff was removed from having further contact with the youth and placed on administrative leave pending the outcome the investigation.
 - Corrective actions included separation of employment, arrested and charged by law enforcement, and referred for criminal prosecution. Direct care staff received additional training on professionalism and appropriate boundaries with youth.

SECTION II
PRIVATE PROVIDERS

Figure 6. Demographics

	2017	2018	2019
Number Private Providers Servicing DJS Youth	52	45	45
Total Census December 31	214	185	165
Male	185	162	137
Female	29	23	28
Age 17 and younger	148	124	108
Age 18-20	66	61	57
Age 21 or older	0	0	0
Annual Total youth admitted	427	398	313
Annual Total youth discharged	464	390	334

Figure 7. Aggregate data for calendar years 2017-2019 by allegation and investigation outcome.



List of Private Providers:

- Cornell Abraxas - PA
- Glen Mills - PA
- Hearts and Homes - MD
- Morningstar Academy - MD
- Natchez Trace Youth Academy - TN
- Silver Oak Academy - MD
- Summit Academy - PA

Figure 8. Total Reports by Private Providers for calendar years 2017-2019.

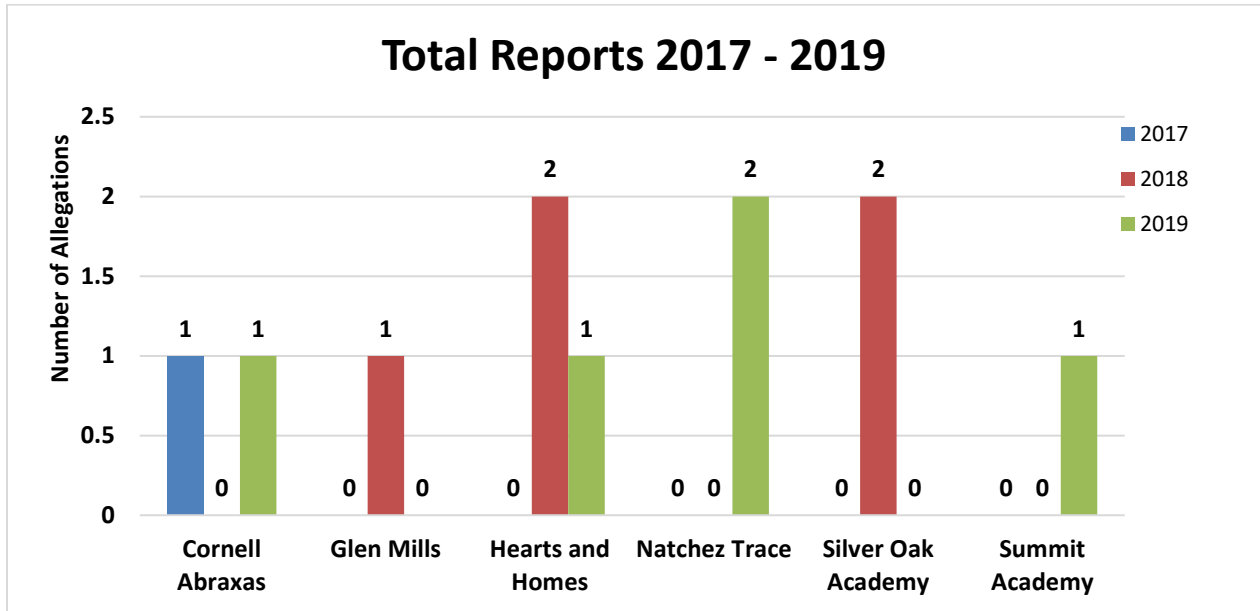


Figure 9 -Total Reported Allegations – Three (3) Year Trend.

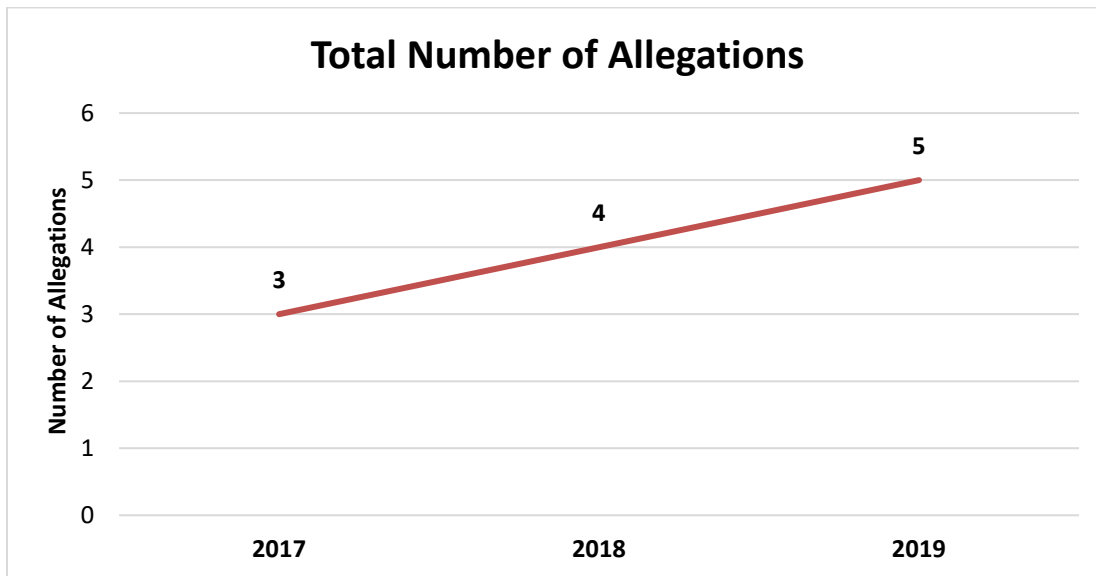
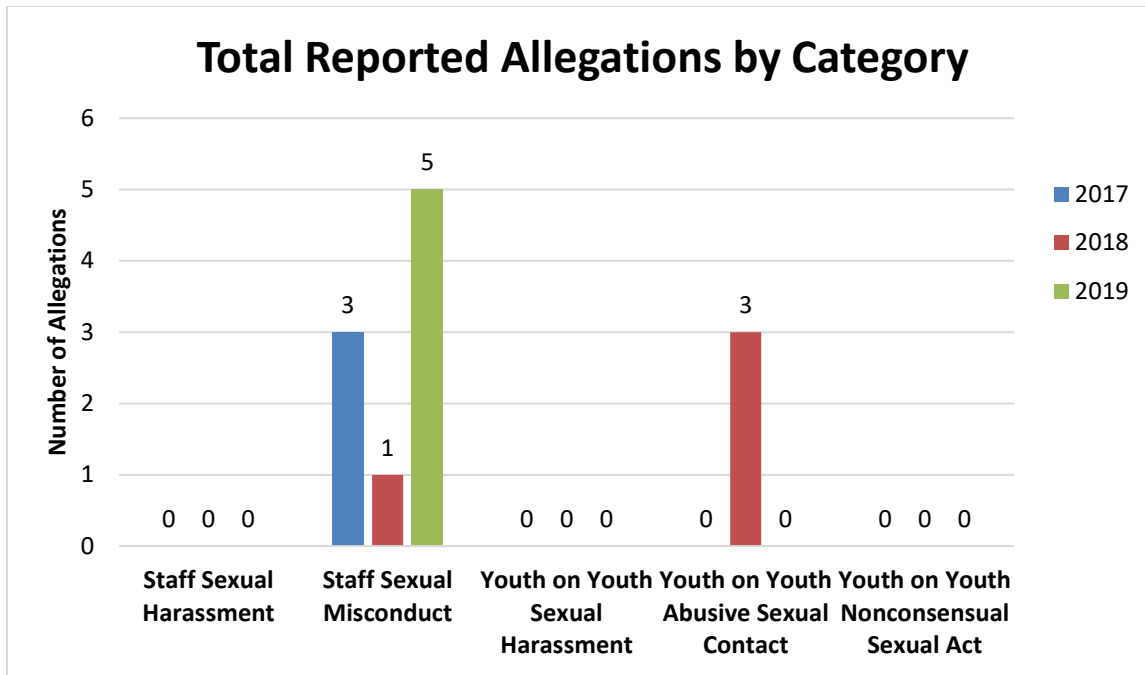


Figure 10 -Total Reported Allegations – Three (3) Year Trend by Category.



Private Provider Analysis

Private provider services are monitored by the DJS Quality Assurance Unit. In 2019, there were five (5) allegations reported across four (4) facilities, resulting in two (2) unsubstantiated and three (3) unfounded findings. There were no substantiated incidents in 2019.

- Hearts and Homes-Avis Birely Therapeutic Group Home- One (1) unfounded incident of staff on youth sexual misconduct. A witness alleged a male staff performed fellatio on another youth.
 - Corrective Action: Immediate contact was made to Child Protective Services for investigation and was screened out. Law enforcement reviewed the matter and through their investigation, no charges were filed. The facility conducted a management investigation and determined no abuse occurred by staff due to not working on the day the allegation was made by the youth witness. Youth involved were provided a medical examination and referred for additional behavioral health services.
- Cornell Abraxas Secure Sex Offender and Habitual offender programs- One (1) unfounded incident of staff on youth sexual misconduct. A youth alleged that a female staff showed him sexually inappropriate pictures and plans were to start a relationship after the youth was discharged from the program.
 - An immediate report was made to the local Child Protective Services and referred to law enforcement for investigation. Medical and behavioral health services were provided to all youth. The matter was investigated by facility administration and the youth and staff person were physically separated pending the outcome of the investigation. Law enforcement conducted an investigation and no charges were filed.
- Summit Academy- One (1) unfounded incident of staff on youth sexual misconduct. A youth alleged staff had an inappropriate sexual relationship with another youth.
 - Corrective Action: Immediate contact was made to the local Child Protective Services for investigation and was screened out. Law enforcement reviewed the matter and no charges were filed against staff. The facility conducted a management investigation and determined no abuse occurred by staff and the youth involved conspired to get the staff in trouble and terminated. The youth involved was provided medical and mental health services and held accountable through the program discipline process.
- Keystone Continuum LLC-Natchez Trace Youth Academy- Two (2) unsubstantiated incidents of staff sexual misconduct after a male youth alleged having an inappropriate sexual relationship with a female staff.
 - The incidents were reported to Child Protective Services and no charges were filed by law enforcement. Youth were referred to medical and mental health where safety plans were initiated for follow up services and moving staff away from all youth pending the outcome of an agency administrative investigation.

Aggregate data for the past three years reflect a limited number of allegations reported by private providers:

- Three (3) in 2017
- Four (4) in 2018
- Five (5) in 2019

Substantiated incidents were zero (0) in 2017, 2018, and 2019.

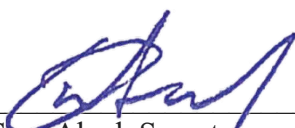
ACCOMPLISHMENTS

DJS 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 policy and procedures. The PREA Coordinator oversees facility compliance and meets quarterly with facility PREA Compliance Managers to review PREA incidents and assess agency wide systems. DJS 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, eliminate blind spots and assist with administrative investigations.

Staff training continues to be a significant focus. The following items occurred during 2019.

- Nearly 700 direct care staff completed the departmental initial and annual PREA training. Behavioral health and medical staff completed the specialized training offered by the National Institute of Corrections.
- The Governor’s Office of Crime Control and Prevention provided grant funding to assist the Department with upgrading youth education materials such as the “What You Should Know about Sexual Abuse and Harassment” pamphlets and three different types of posters instructing youth on how to report sexual abuse and harassment in DJS facilities with all materials printed in English and Spanish. Additional staff training instruction aids were provided for direct care staff on first responder duties.
- During 2019, with the assistance of the Maryland Coalition Against Sexual Assault, the Department and For All Seasons Incorporated entered into a memorandum of understanding to provide victim advocate and emotional support services in response to youth sent to the local Sexual Abuse Forensic Examiners (SAFE) hospital that can serve female youth placed at J. DeWeese Carter Center located in Chestertown.
- PREA America LLC completed PREA audits at five (5) agency facilities. All five facilities met or exceeded PREA standards with no corrective action period. Over the two-year contact period, all thirteen (13) DJS facilities completed their second round of PREA audits and earned full compliance. All final reports for the thirteen facilities are posted on the Department’s website.

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.



Sami Abed, Secretary Date
Maryland Department of Juvenile Services