



Maryland

DEPARTMENT OF
JUVENILE SERVICES

Maryland Department of Juvenile Services Prison Rape Elimination Act 2023 Annual Report

Mission

To transform young people's lives, create safer communities, and forge more equitable systems through community-based partnerships that hold youth accountable while building on their strengths and support systems.

Vision

Providing pathways to success for youth and families through partnerships across Maryland.

The Department of Juvenile Services (DJS) has a zero tolerance policy for all acts of sexual abuse and harassment. The DJS Elimination and Reporting of Sexual Abuse and Harassment Policy and Procedure prohibits and prevents sexual abuse and harassment and outlines how to detect, report, investigate, and address any incident 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 incidents of sexual abuse and harassment. Incidents 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 incident 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.

During 2022 due to COVID-19, the facility rated capacities were also temporarily decreased to maintain smaller size units of youth to staff ratios. There was significant decreases in the youth population in DJS detention facilities and treatment programs and in the utilization of private providers in calendar year 2020. In calendar year 2021 the youth population increased by 26% overall and the average length of stay increased at three of four treatment programs, Backbone Mountain Youth Center (5%), Green Ridge Youth Center (1%), and Mountain View (200%).

For detention facilities, four out of five facilities had an increase in the average length of stay for youth, specifically Baltimore City Juvenile Justice Center (4%), Charles H. Hickey Jr. School (4%), Lower Eastern Shore Children's Center (4%) and Western Maryland Children's Center (19%.) In 2021, the average length of stay for youth charged as adults increased at three of seven detention facilities, Charles H. Hickey Jr. School (19%), Cheltenham Youth Detention Center (7%), and Lower Eastern Shore Children's Center (110%).

Facility closures are as follows:

- Savage Mountain Youth Center was renamed Garrett Children’s Center on June 3, 2020. November 5, 2020 Garrett Children’s Center was temporarily closed, the remaining youth were moved to the Victor Cullen Center.
- March 20, 2020 J. DeWeese Carter Center was temporarily closed and youth were moved to the Lower Eastern Shore Children’s Center. J. DeWeese Carter Center was reopened in May prior to its permanent closure on June 30, 2020. As of June 19, 2020 the female population moved to Mountain View on the grounds of Backbone Mountain Youth Center. The female population was housed at Mountain View until December 22, 2021.
- June 30, 2020 Meadow Mountain Youth Center closed.
- October 18, 2022 Alfred D. Noyes Children’s Center temporarily closed.
- March 2, 2022 Thomas J. T. Waxter Children’s Center closed.

This report analyzes the DOJ Survey of Sexual Victimization data for calendar year 2022 compares data for calendar years 2019, 2020, 2021 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 (4) 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**

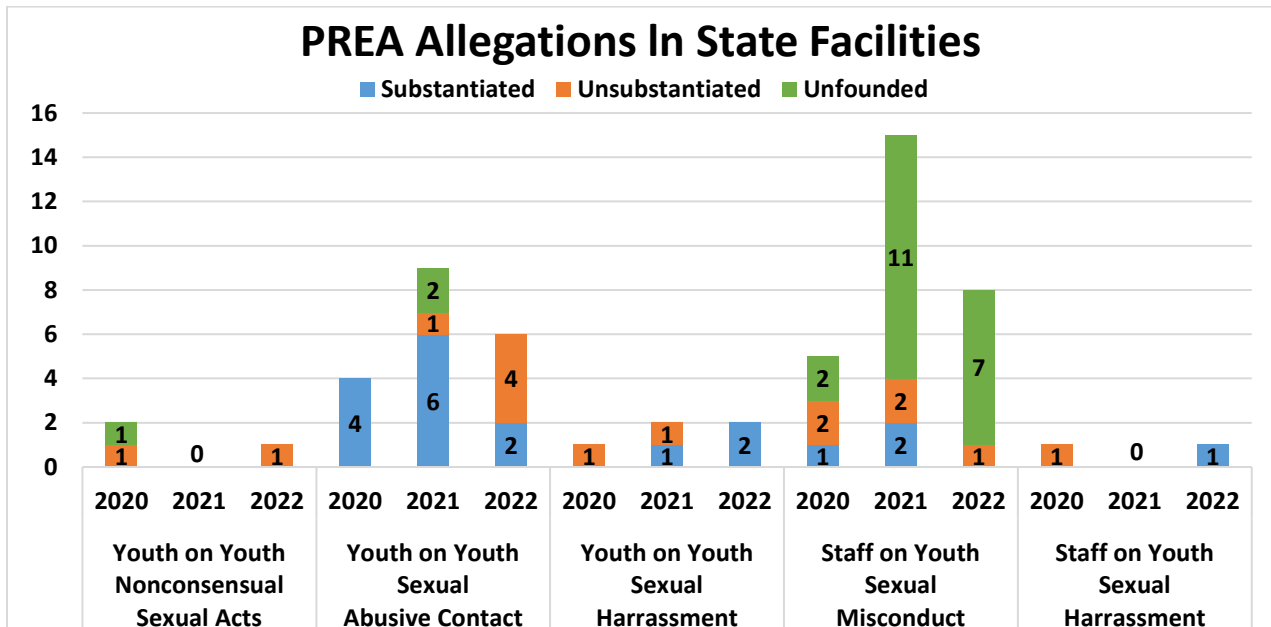
Figure 1. Demographics

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

	2020*	2021*	2022
Number of DJS facilities holding youthful offenders	12	10	10
Total Census December 31	149	188	210
Male	126	175	206
Female	23	13	4
Age 17 and younger	126	158	159
Age 18-20	23	30	51
Age 21 or older	0	0	0
Total youth admitted	996	838	844
Total youth discharged	1,189	798	816

* Data may not be comparable to prior years due to the impact of COVID-19. For further details, see the *Data Resource Guide*.

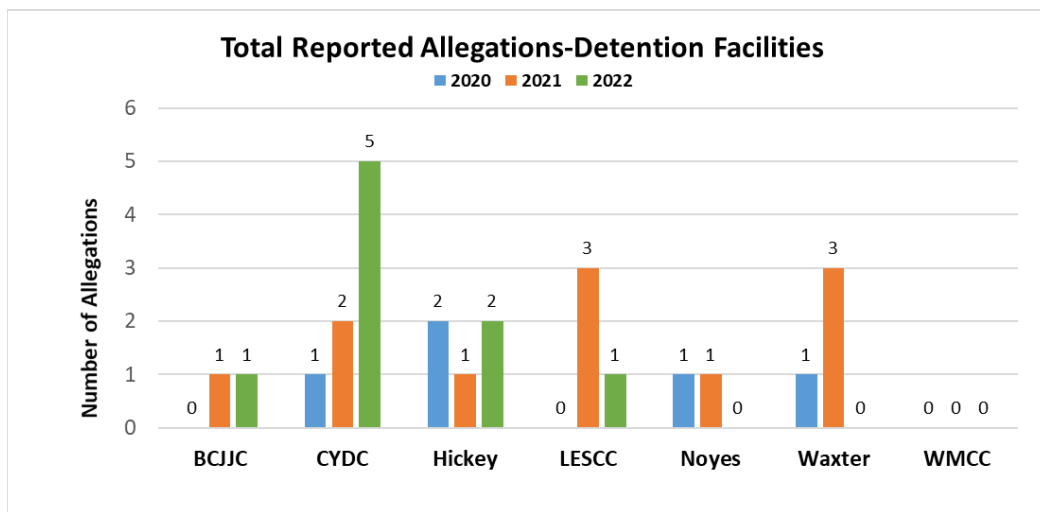
Figure 2. Aggregate data for calendar years 2020-2022 by allegation and investigation outcome.



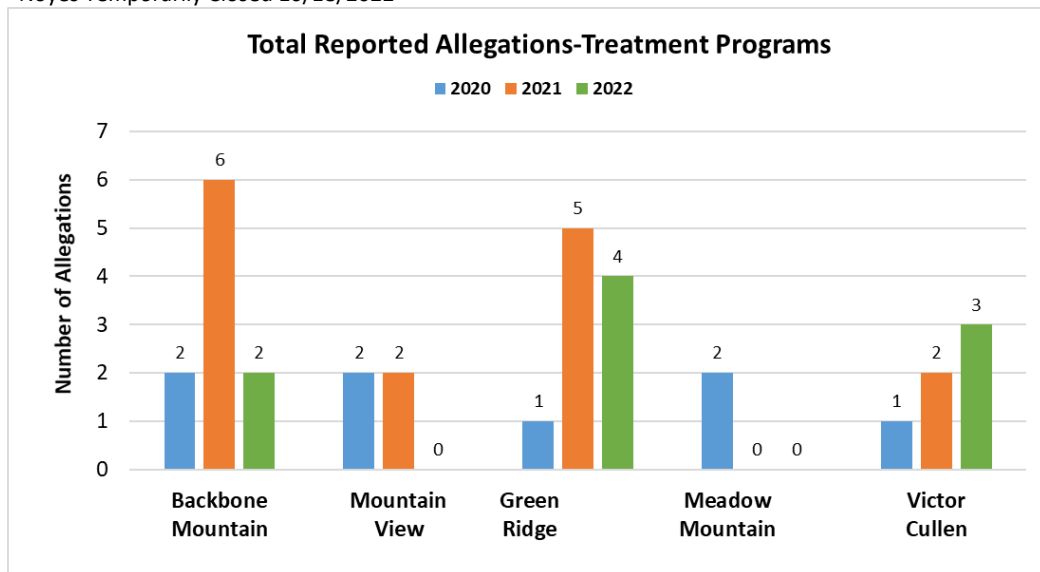
List of DJS Facilities:

- 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)
- Mountain View (closed 12/22/2021)
- Lower Eastern Shore Children’s Center (LESCC)
- Meadow Mountain Youth Center (MMYC) (closed 6/30/2020)
- Alfred D. Noyes Children’s Center (temp. closed 10/18/22)
- Garrett Children’s Center (temporarily closed 11/5/2020)
- Thomas J.S. Waxter Children’s Center (closed 3/2/2022)
- Victor Cullen Center (VCC)
- Western Maryland Children’s Center (WMCC)

Figure 3. Total Reported Allegations- Detention Facilities and Treatment Programs CY 2020- CY2022.

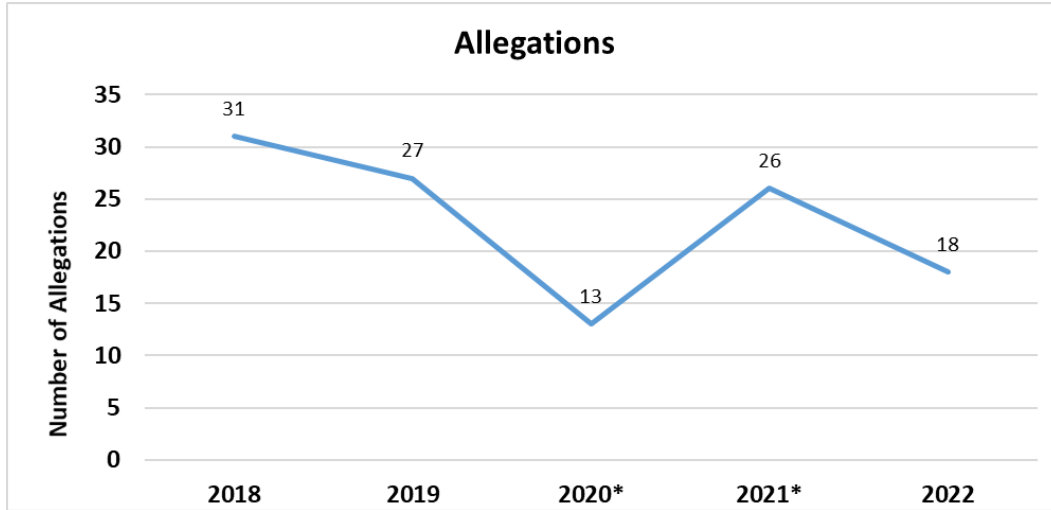


*Noyes Temporarily Closed 10/18/2022

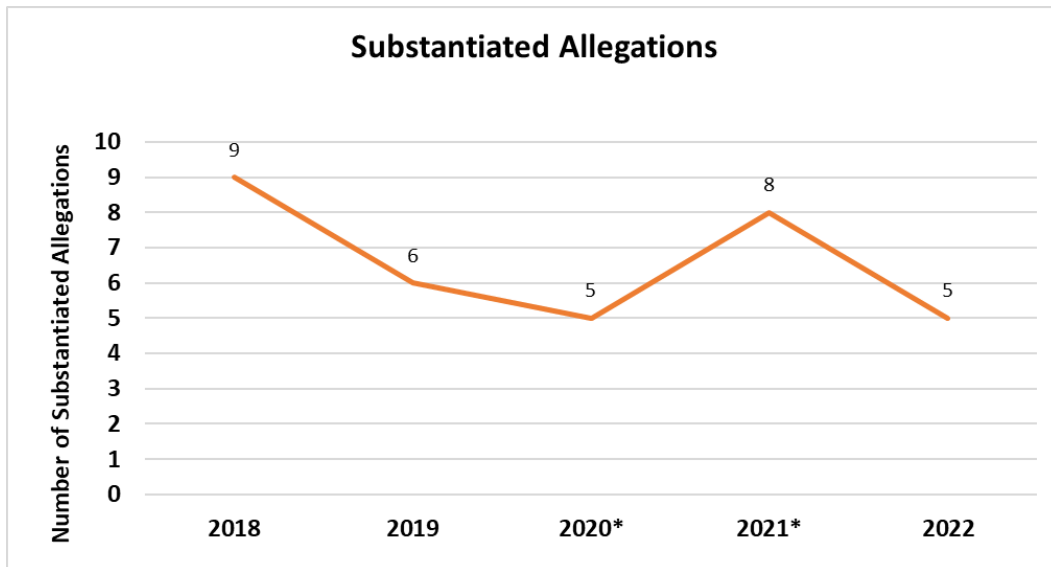


*Mountain View Closed on 12/22/21

Figure 4. Total Reported Allegations – Five Year Trend

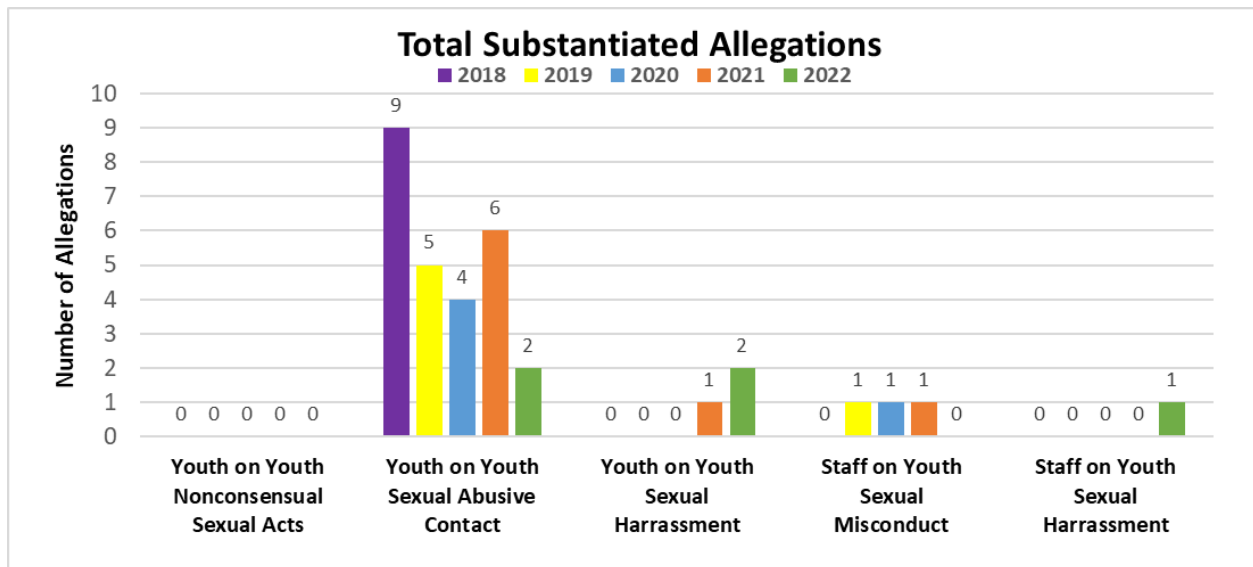
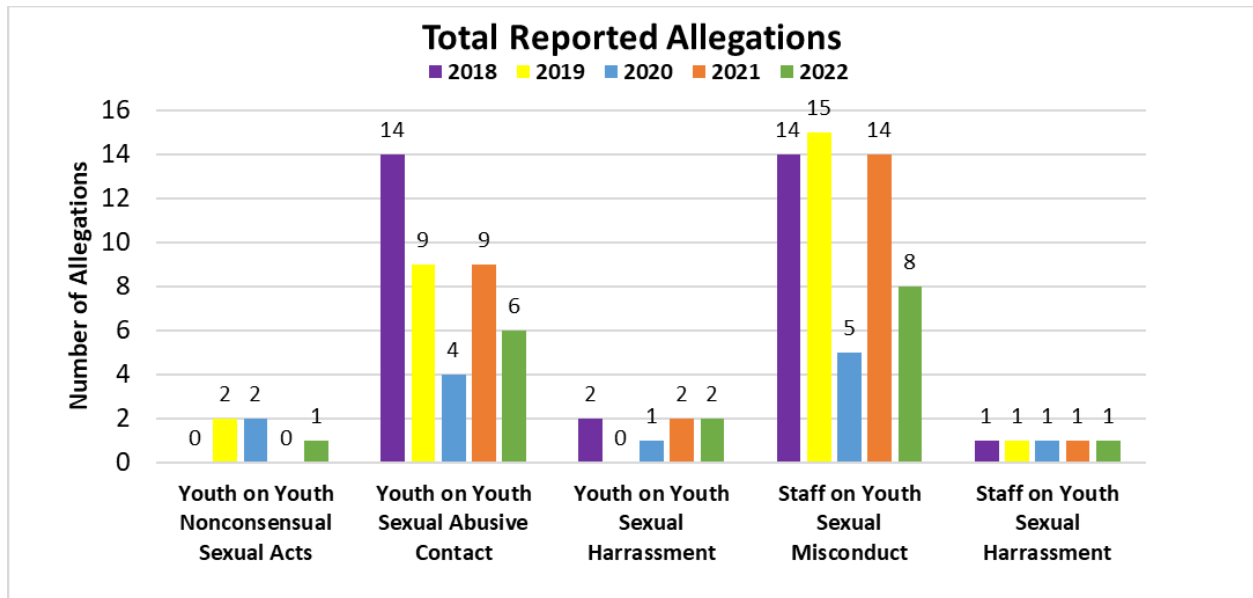


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Figure 5. Total Reported Allegations – Five Year Trend by Allegation.



In calendar year 2022, DJS operated ten residential facilities, six detention and three treatment facilities. See 2022 information below:

- Eighteen (18) alleged incidents of sexual abuse and harassment reported across eight facilities, three treatment and five detention facilities.
- Total number of incidents decreased from the previous year, 2021 by thirty percent (30%).
- Incidents by Incident Type:
 - **Staff Sexual Harrassment**
 - Overall increase of one from 2021
 - Incident occurred in staff secure treatment program

- Substantiated outcome when male staff made sexually derogatory comments to a youth
- Staff removed from coverage, matter investigated and received discipline, received training and educated on professionalism and boundaries, and reassigned to another unit
- **Youth on Youth Nonconsensual Sexual Acts**
 - Overall increase of one from 2021
 - Adult male inmate disclosed a 1997 incident during the adult jail screening process and the information was reported to DJS detention facility staff
 - Incident investigated by MSP, CPS, OIG incident the outcome was unsubstantiated, evidence was insufficient to determine if incident did or did not occur
- **Youth on Youth Sexual Harassment**
 - Remained unchanged at two from the previous year
 - Outcome findings of substantiated
 - Victims in both incidents were older than the aggressor and occurred in detention facility
 - One incident had three victims including a transgender youth; all youth were referred to behavioral health professionals and medical practitioners. Youth education classes were conducted on the topic of the dynamics of sexual harassment in juvenile facilities and vulnerable populations including LGBTI individuals
 - Aggressor was transferred to other unit, disciplined per the behavior modification system, referred to behavior health professional for follow up treatment
 - No charges were filed by law enforcement in either incidents
- **Staff Sexual Misconduct**
 - Decreased of 46% from 2021
 - Of the eight incidents, one was unsubstantiated and seven were unfounded as determined by MSP, CPS, and OIG investigations
 - One unsubstantiated incident involved female staff placing herself in vulnerable and compromising posting where touching by youth was unable to be confirmed. Staff received training on proper posting and staff positioning within a programming area
 - Seven incidents ruled unfounded were the result of staff performing their job duties and responsibilities established by agency and facility policies and operating procedures
- **Youth on Youth Abusive Sexual Contact**
 - Decreased 33% from 2021
 - Of the six incidents, two were substantiated and four unsubstantiated
 - Nature of all were as result of horseplay and unwanted touching
 - In three incidents the victim's age was one year younger than aggressor and

three were the same age

- Two incidents occurred in detention facilities and 4 in staff secure treatment programs and one involved female youth and 6 involved male youth

The trend for total reported incidents 2022 shows a decrease attributed to the department's steadfast focus to educate youth and staff on all topics related to PREA, to include multiple methods for reporting incidents, improved facility culture, improved staff situational awareness through additional training, staff and youth interactions, maintaining staff to youth ratios, and continued staff training on professionalism and boundaries.

Investigative Processes

- 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 Facility Management and the DJS Office of the Inspector General.
- Criminal and Administrative investigations determined five (5) of eighteen (18) incidents were substantiated:
 - Two (2) youth on youth abusive sexual contact
 - Two (2) youth on youth sexual harassment
 - One (1) staff sexual harassment.
- Video surveillance continues to be an invaluable tool to assist with investigations. Facility and agency management carefully reviewed all investigations and took corrective action where appropriate.

Facility Analysis of Substantiated Incidents

- Green Ridge Youth Center- Two incidents of youth on youth abusive sexual contact. Both incidents involved horseplay and unwanted touching as a result of horseplay when the aggressor smacked the youth in the buttock and genital areas.
 - Corrective Action – The victims in the two incidents were separated from the aggressor, provided a medical examination, and referred to behavioral health for follow up treatment. The aggressors involved was held accountable through the behavior motivation system as appropriate. Youth were provided with education on program expectations.
- Backbone Mountain Youth Center – One incident of staff sexual harassment. The incident involved staff making sexually derogatory and repeated comments to a male youth.
 - Corrective Action – Staff was removed from coverage, matter investigated by law enforcement, CPS, and OIG resulting in discipline. The staff received training and education on professionalism and boundaries, and was reassigned to another unit.
- Victor Cullen Center- One incident of youth on youth sexual harassment involved a female youth making repeated unwelcome sexual advances and comments threatening physical harm.

- Corrective Action – The aggressor was referred to behavior health professional for follow up treatment, disciplined per the behavior motivation system, and transferred to a detention facility. Youth education was provided to include the terms and definition and dynamics of sexual harassment within facilities, and reviewing program expectations.
- Cheltenham Youth Detention Center – One incident of youth on youth sexual harassment involved repeated and unwelcome sexual advances, comments, leading the aggressor to expose his genitalia. One of the three victims identified as transgender female.
 - Corrective Action – The aggressor was immediately transferred to other unit, disciplined per the behavior motivation system, and referred to behavior health professional for follow up treatment. Youth education was provided to include the terms, definition and dynamics of sexual harassment within facilities and vulnerable populations within facilities including LGBTI individuals. The aggressor involved was held accountable through the behavior motivation system as appropriate.

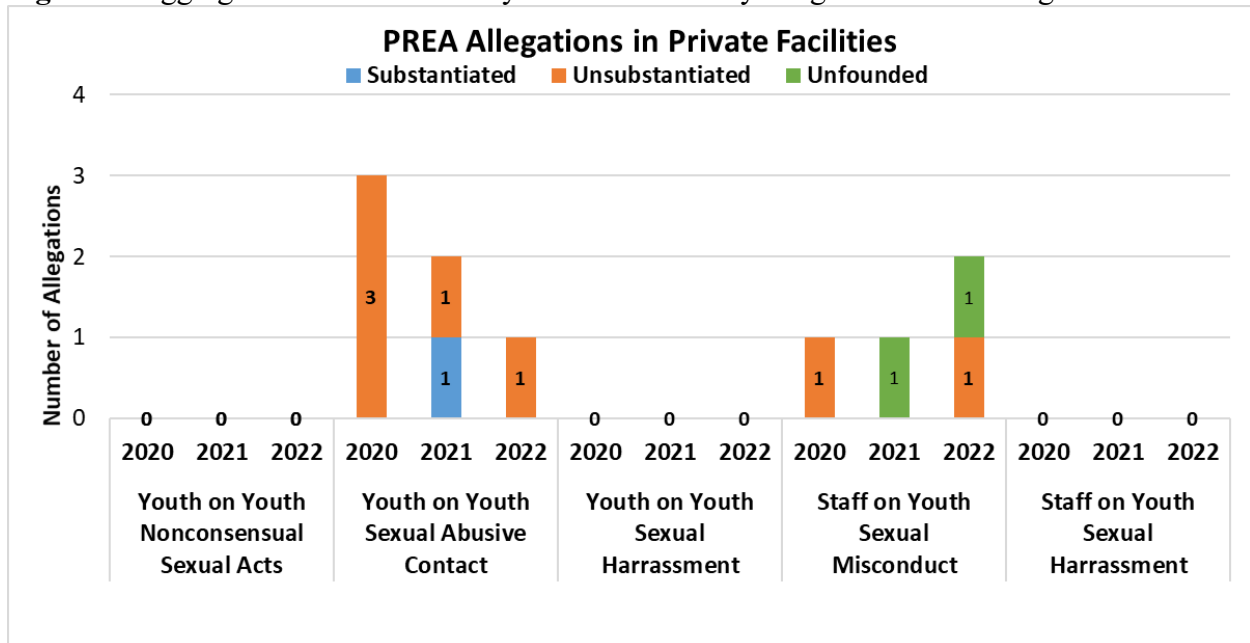
**SECTION II
PRIVATE PROVIDERS**

Figure 6. Demographics

	2020	2021	2022
Number Private Providers Servicing DJS Youth*	19	17	14
Total Census December 31	58	51	30
Male	53	47	25
Female	5	4	5
Age 17 and younger	33	32	17
Age 18-20	25	19	13
Age 21 or older	0	0	0
Annual Total youth admitted	150	105	81
Annual Total youth discharged	256	112	103

* Includes all contracted providers housing DJS committed youth in Maryland and out of state, except for RTCs and Foster Care Programs.

Figure 7. Aggregate data for calendar years 2020-2022 by allegation and investigation outcome



List of Private Providers:

- Cornell Abraxas – PA
- Hearts and Homes - MD
- Natchez Trace Youth Academy - TN
- Children’s Group Home-PA
- Summit Academy- PA (Closed in 2021)
- Morningstar Youth Academy-MDE

Figure 8. Total Reports by Private Providers for calendar years 2020-2022.

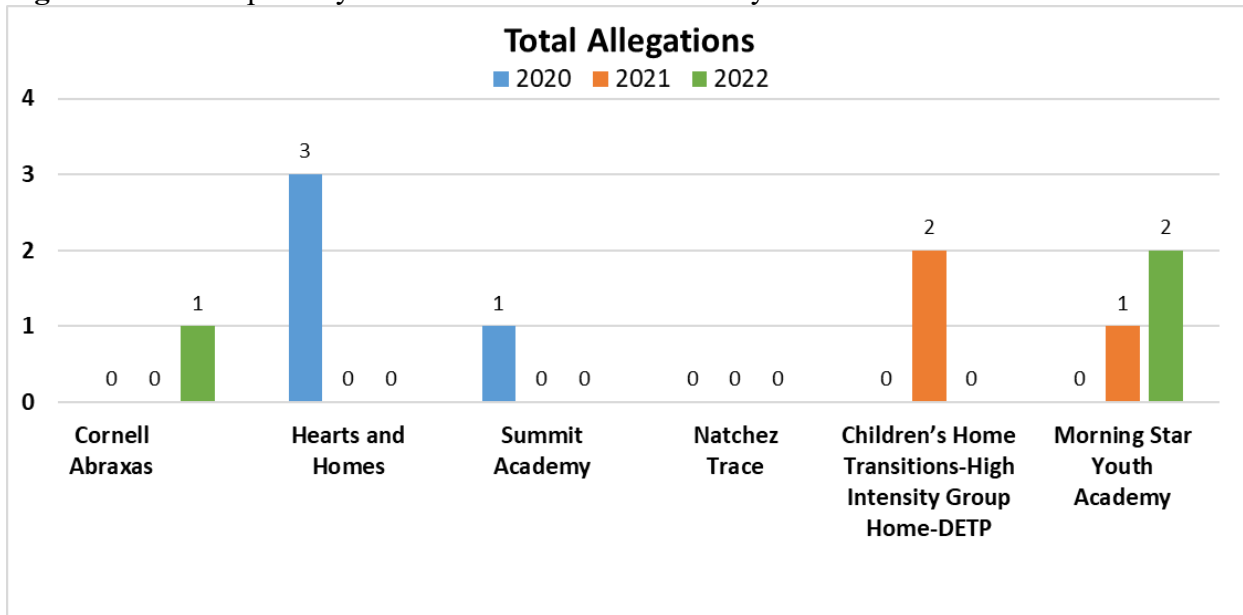


Figure 9 -Total Reported Allegations – Three Year Trends

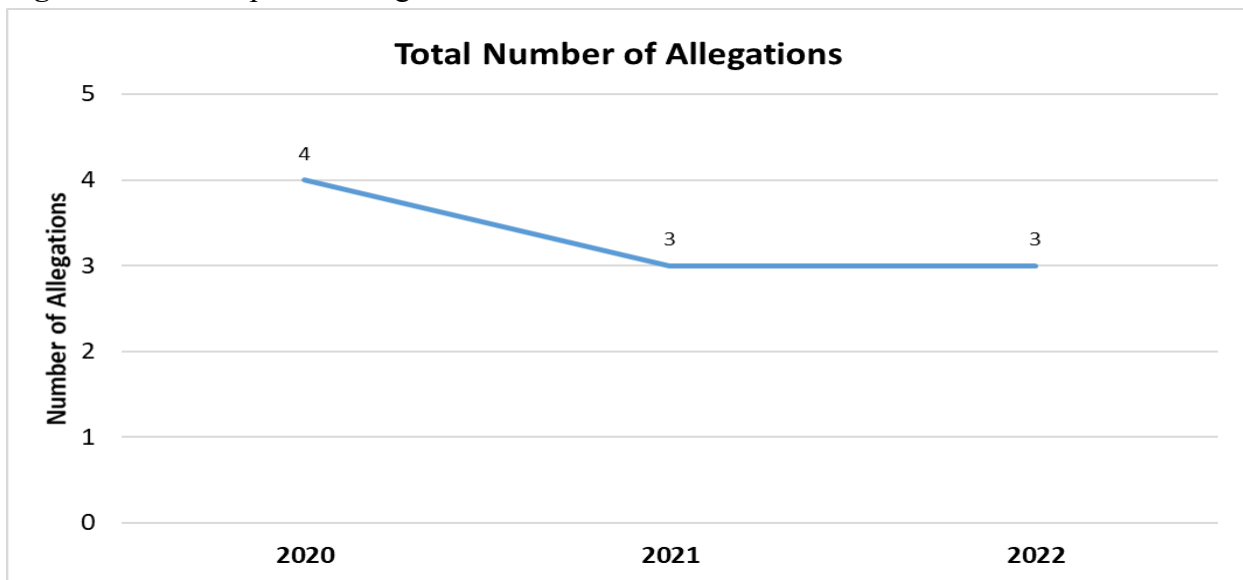
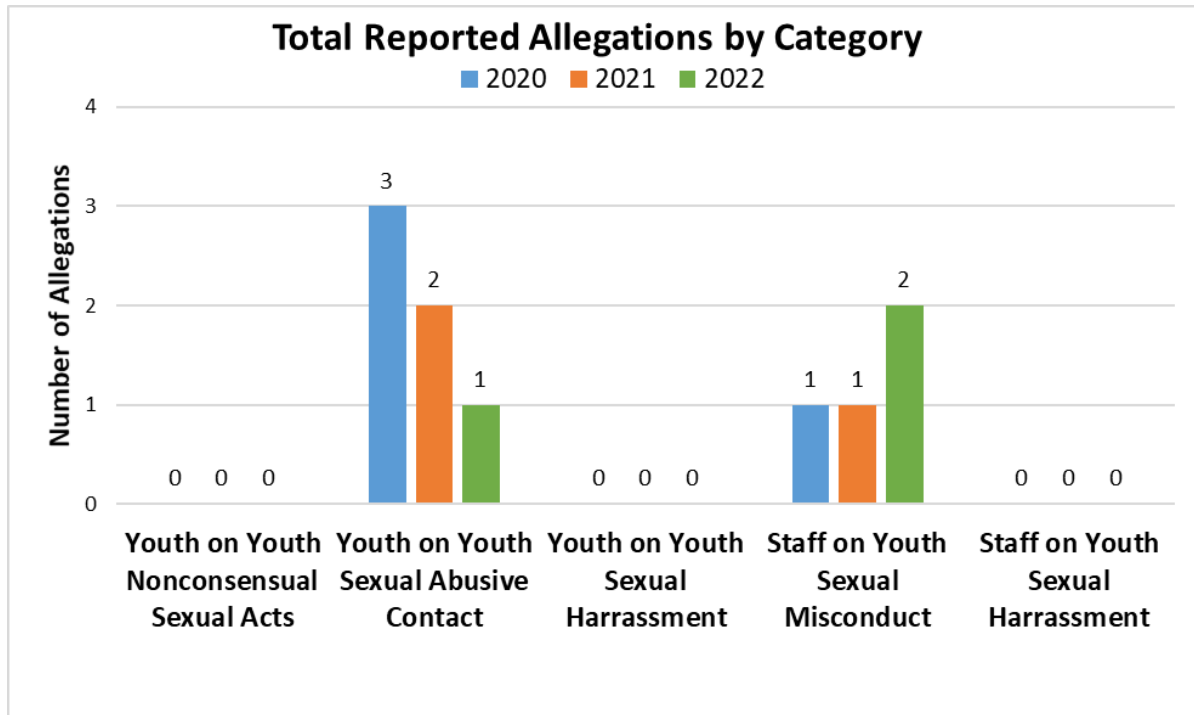


Figure 10 -Total Reported Allegations – Three Year Trend by Category.



Private Provider Analysis

Private provider services are monitored by the DJS Quality Assurance Unit. In 2022, there were three incidents reported across two facilities, resulting in one substantiated and two unfounded outcomes.

- Cornell Abraxas- One youth on youth abusive sexual contact incident resulted with an outcome of substantiated. The nature of the two youth on youth incidents was consensual abusive contact and both youth were above the age of consent.
 - Corrective Action: Both youth were seen by facility administration and re-assessed and provided follow up medical and mental health services. Youth were held accountable by the facility behavior management system.
- Morningstar Youth Academy- Two staff sexual misconduct incidents with unfounded outcomes. The nature of the staff misconduct incident reported by a witnesses, alleged staff was kissing another youth and having a sexual relationship with a youth.
 - Corrective Actions: For both incidents, an immediate report was made to the local Child Protective Services and referred to county law enforcement for investigation. DJS OIG investigator completed an administrative investigation. The results of the investigations were CPS screened out and closed the matter and law enforcement did not file any charges against staff. Medical and behavioral health services were provided to the youth. With unfounded outcomes, no discipline was imposed on the alleged staff.

ACCOMPLISHMENTS

DJS continuously assesses the physical environment, investigates and completes incident reviews on incidents to eliminate sexual abuse and harassment within facilities. All PREA standards are 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.

- A designated full time PREA Coordinator oversees agency compliance for detention facilities and treatment programs within the department.
- Each facility has a designated PREA Compliance Manager to review PREA incidents and assess facility wide systems in conjunction with the Superintendent.
- In 2022, 1160 facility staff including direct care, case management, education, administrators, medical and behavioral health completed the departmental initial entry-level training and annual PREA refresher training. Facility volunteers and contracted vendors also complete PREA training.
- Approximately fifteen Behavioral Health, fifteen medical staff, and two administrative investigators completed the specialized training offered by the National Institute of Corrections.
- Information Technology Unit enhanced video surveillance system capabilities by updating system software, replacing and installing 150 video cameras and cabling. System upgrades reduce and eliminate blind spots and assist criminal and administrative investigation processes.
- Three administrative investigators completed a six-hour informative virtual PREA Juvenile Specialized Investigations training presented by The Moss Group. Three additional investigators attended a six and half hour PREA: Specialized Training for Investigators presented by the Maryland Police and Correctional Training Commission.
- In 2022, one agency investigator participated and successfully completed the PREA Academy, PREA 101 course offered by the PREA Resource Center. The course offered multi-week courses delivered on a semester-based schedule. The course is designed for stakeholders who are responsible for PREA implementation in their agencies and facilities. The course focuses on important topics, including the PREA audit process and associated expectations given the hundreds of specific requirements of the standards.
- Mock audits conducted at three facilities in preparation for the 2022 certified PREA audits
- PREA annual audits completed by a certified PREA auditor. All three facilities passed annual audits with full compliance. From 2015-2022, thirty-six PREA audits have been completed.
- Annually, the PREA Coordinator completes the DOJ Survey of Sexual Victimization and the DJS PREA report.
- For the second straight year, both state agencies, Department of Juvenile Services and Department of Public Safety and Correctional Services (DPSCS) filed full compliance in 2022 Governor's Certification for Audit Year 3 of Cycle 3.

Maryland Department of Juvenile Services

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 policies and procedures, and upgrade facility physical plants to support the prevention, detection, reporting and investigating of all forms of sexual abuse.



Vincent Schiraldi, Secretary
Maryland Department of Juvenile Services

March 21, 2024

Date