



**Maryland Department of Juvenile Services
Prison Rape Elimination Act
2019 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.

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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 2018, compares data for calendar years 2016-2018 and also 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

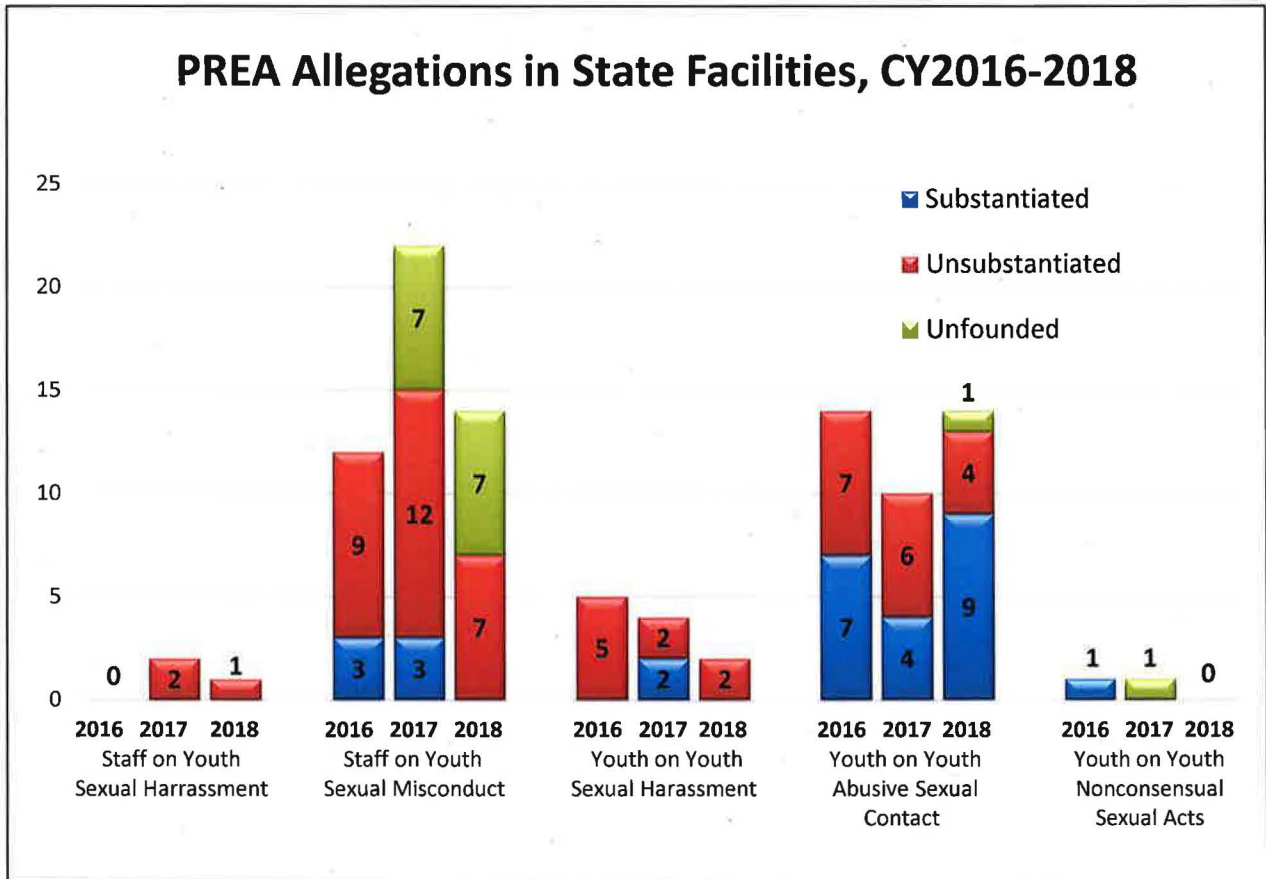
STATE OPERATED FACILITIES

Figure 1. Demographics

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

	2016	2017	2018
Number of DJS facilities holding youthful offenders	13	13	13
Total Census December 31	425	366	372
Male	384	330	325
Female	41	36	47
Age 17 and younger	362	314	312
Age 18-20	62	52	60
Age 21 or older	1	0	0
Total youth admitted	3,221	2,858	2,552
Total youth discharged	3,224	2,912	2,575

Figure 2. Aggregate data for calendar years 2016-2018 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 (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 3. Total Reported Allegations- Detention and Committed Facilities CY2016- CY2018

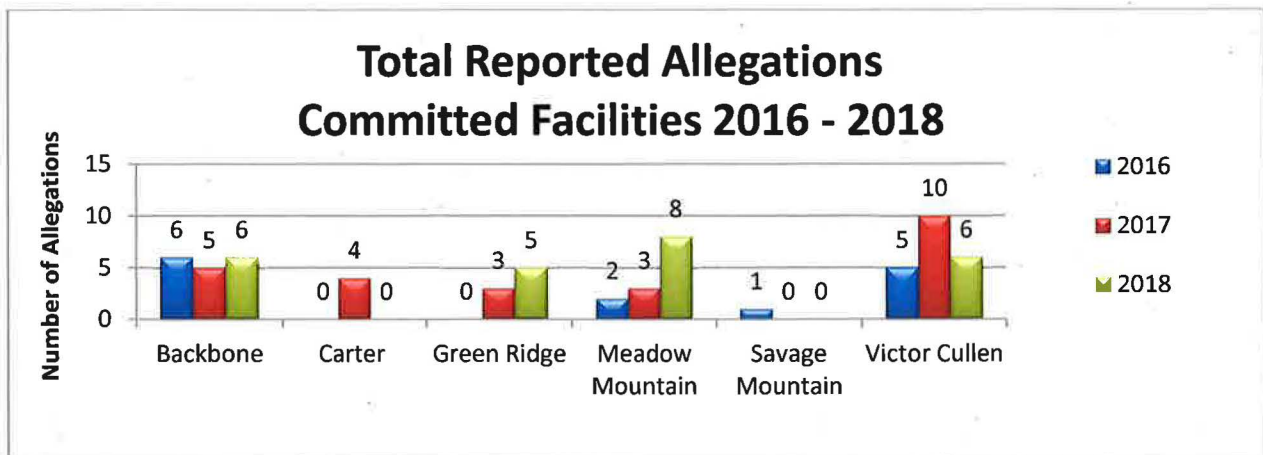
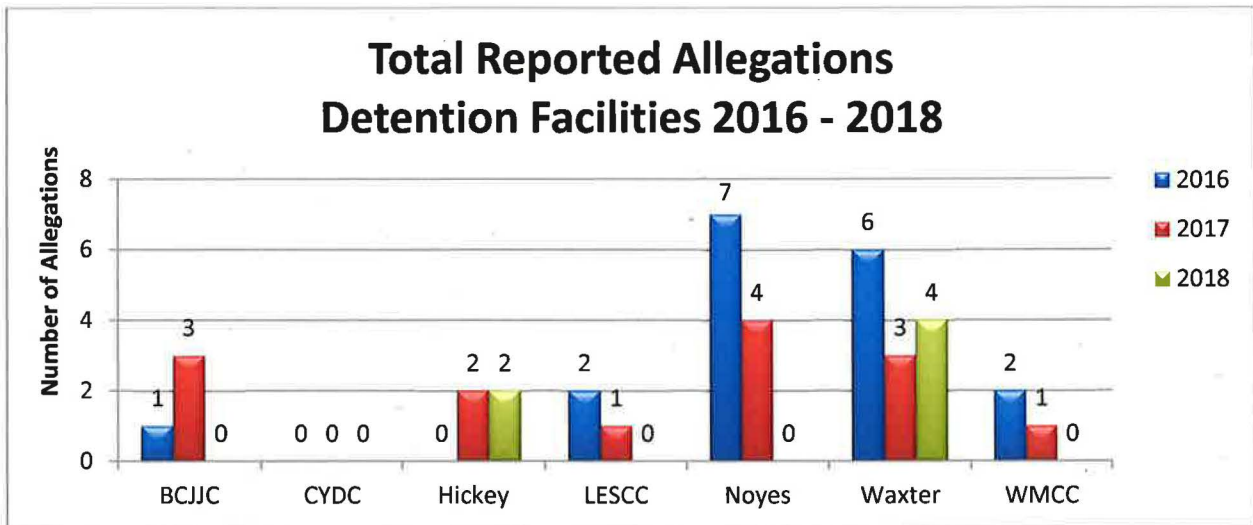


Figure 4. Total Reported Allegations – Five (5) Year Trend

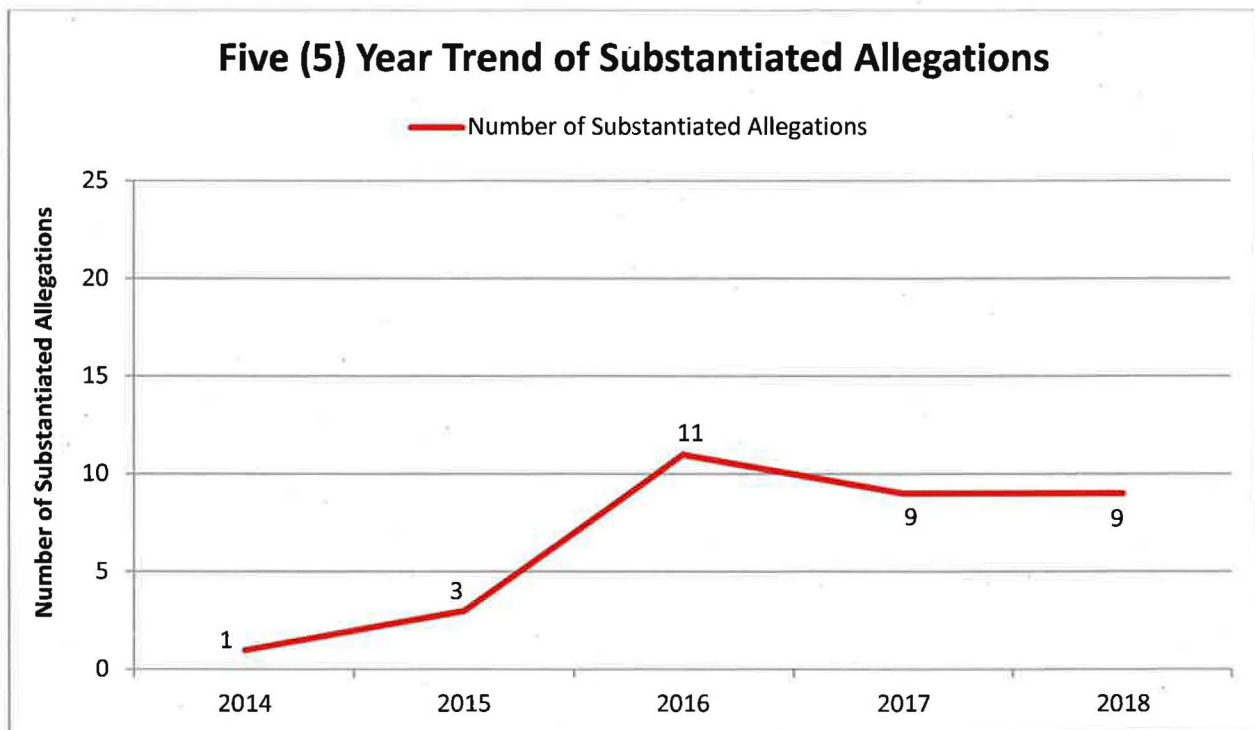
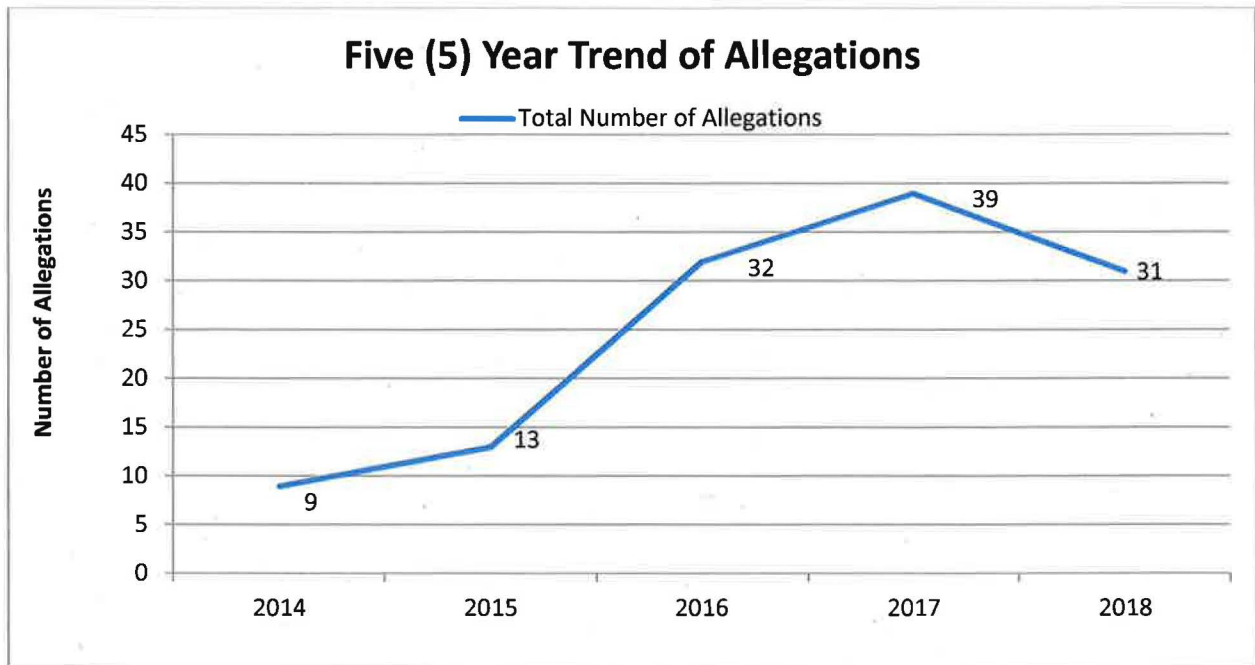
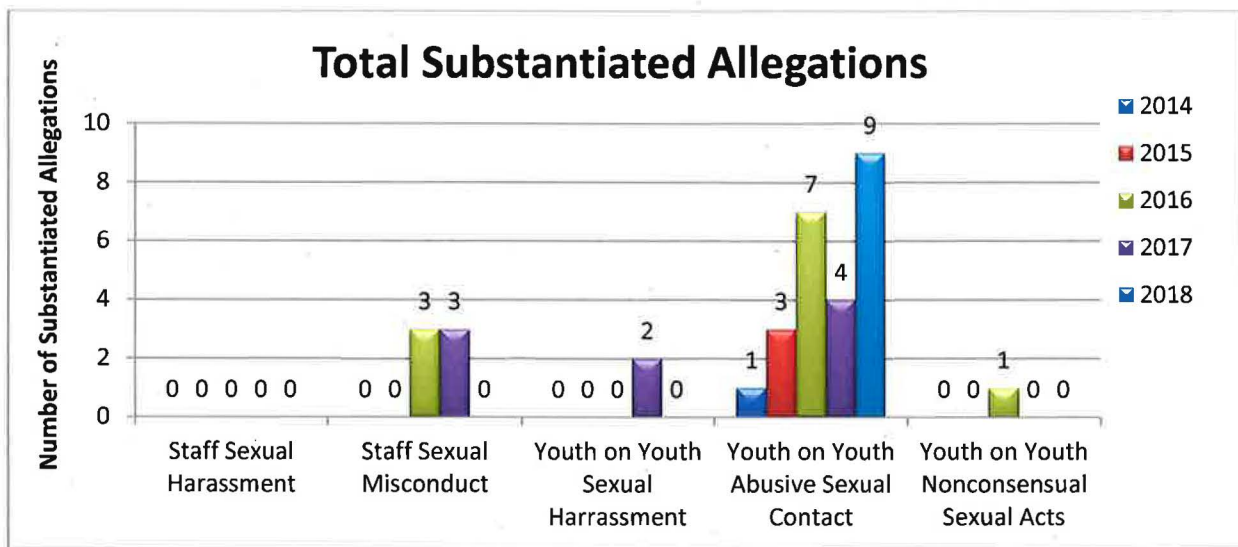
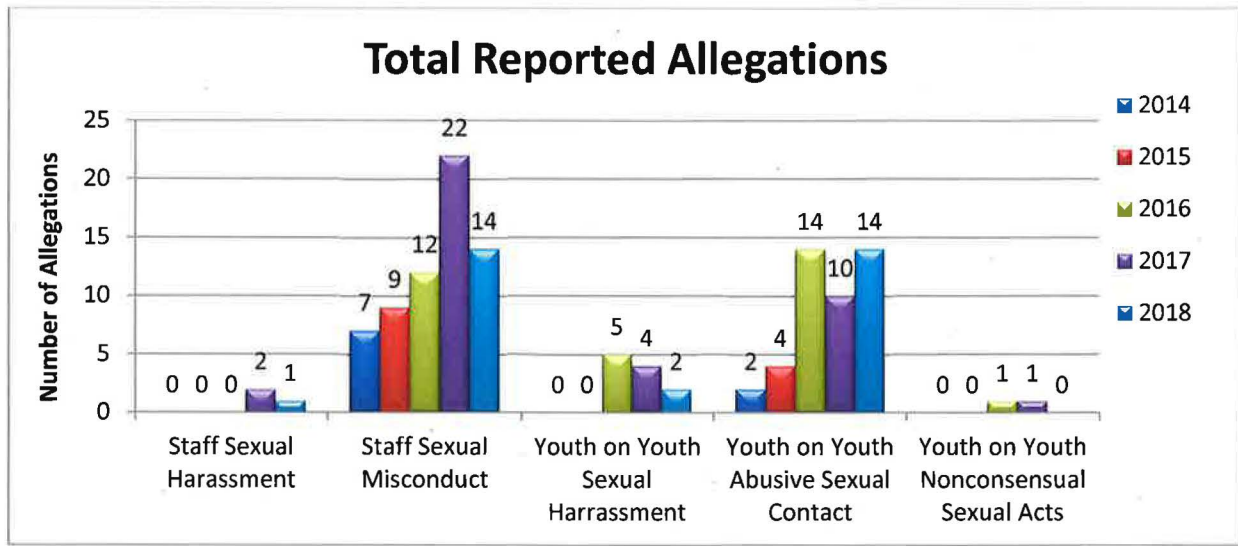


Figure 5. Total Reported Allegations – Five (5) Year Trend by Allegation.



DJS Data Analysis

DJS operates thirteen residential facilities, seven detention centers and six committed facilities. In calendar year 2018, there were thirty-one (31) alleged incidents of sexual abuse reported across six facilities. The total number of incidents decreased from the previous year by 21%. All incidents were referred for investigation by Maryland State Police, Child Protective Services and the Office of the Inspector General. Administrative Investigations determined that 9 of 31 allegations of youth on youth abusive sexual contact were substantiated. Video surveillance has been an invaluable tool to assist with investigations. Management carefully reviewed all investigations and took corrective action where appropriate.

Substantiated Incidents

- Nine (9) incidents of youth on youth abusive sexual contact: Seven (7) 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.
- Two (2) of the nine (9) incidents two (2) youth were charged by law enforcement with second degree assault and the matter was referred to the DJS intake office for processing and both incidents were resolved at the DJS intake office.

Aggregate Data Analysis

The trends for total reported allegations beginning in 2014 shows an increase each year. In 2015, total allegations were 13 and increased considerably to 32 in 2016 and 39 in 2017 which was 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 remained unchanged similar to 2017 with a total of nine (9) compared to 11 in 2016. For 2018, there were nine (9) substantiated incidents of youth on youth sexual abusive contact. A review of youth on youth incidents shows that the majority of allegations were associated with incidents of youth conflict and inappropriate horseplay.

The total number of reported allegations in 2018 compared to the previous year shows a decrease in staff sexual harassment with a considerable decrease of 36% in staff sexual misconduct, twenty-two (22) in 2017 and fourteen (14) in 2018. The decrease can be related to the staff training through grant funding conducted by The Moss Group. Overall, youth on youth sexual harassment

decreased from four (4) in 2017 to two (2) in 2018. Youth on youth sexual abusive contact remains the same as the previous year with a total of fourteen (14) and in 2018 there were zero (0) allegations of youth on youth non-consensual sexual acts.

The nine substantiated incidents all occurred in the committed facilities which are staff secure settings where youth movement is controlled by staff supervision rather than by restrictive architectural features.

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, unwanted touching the genital area on two occasions of another male youth while playing basketball.
 - Corrective action – The aggressor was counseled and directed to stop incidents that involve unwanted touching. Both youth were seen by medical and the aggressor received counseling by behavioral health staff.
- Green Ridge Youth Center – Three (3) incidents of youth on youth abusive sexual contact. Two (2) incidents involved horseplay and unwanted touching when youth smacked another youth on the buttock and genital areas. One (1) incident, initial contact by a youth was unwanted touching and resulted in the other youth involved reciprocating contact through unwanted touching and horseplay.
 - Corrective action – All youth were seen by medical and behavioral health staff counseled and directed youth to stop incidents of horseplay; and youth were held accountable through the behavior management system as appropriate. In one (1) of the incidents, the youth was charged by law enforcement with second degree assault and the matter was referred to the county DJS office which was resolved at intake. Youth continue to be educated about program rules and expectations.
- Meadow Mountain Youth Center – Five (5) incidents of youth on youth abusive sexual contact. Four (4) of the five (5) incidents involved horseplay when youth smacked another youth on the buttock and genital area. The remaining one (1) incident involved unwanted touching when youth smacked another youth on the buttock.
 - Corrective action – Youth were separated and seen by medical and behavioral health staff. In one (1) of the incidents, the youth was charged by law enforcement with second degree assault and the matter was referred to the county DJS office which was resolved at intake. Youth involved were counseled and directed to stop incidents of horseplay; and youth were held accountable through the behavior management system as appropriate. Youth continue to be educated on the program rules and expectations.

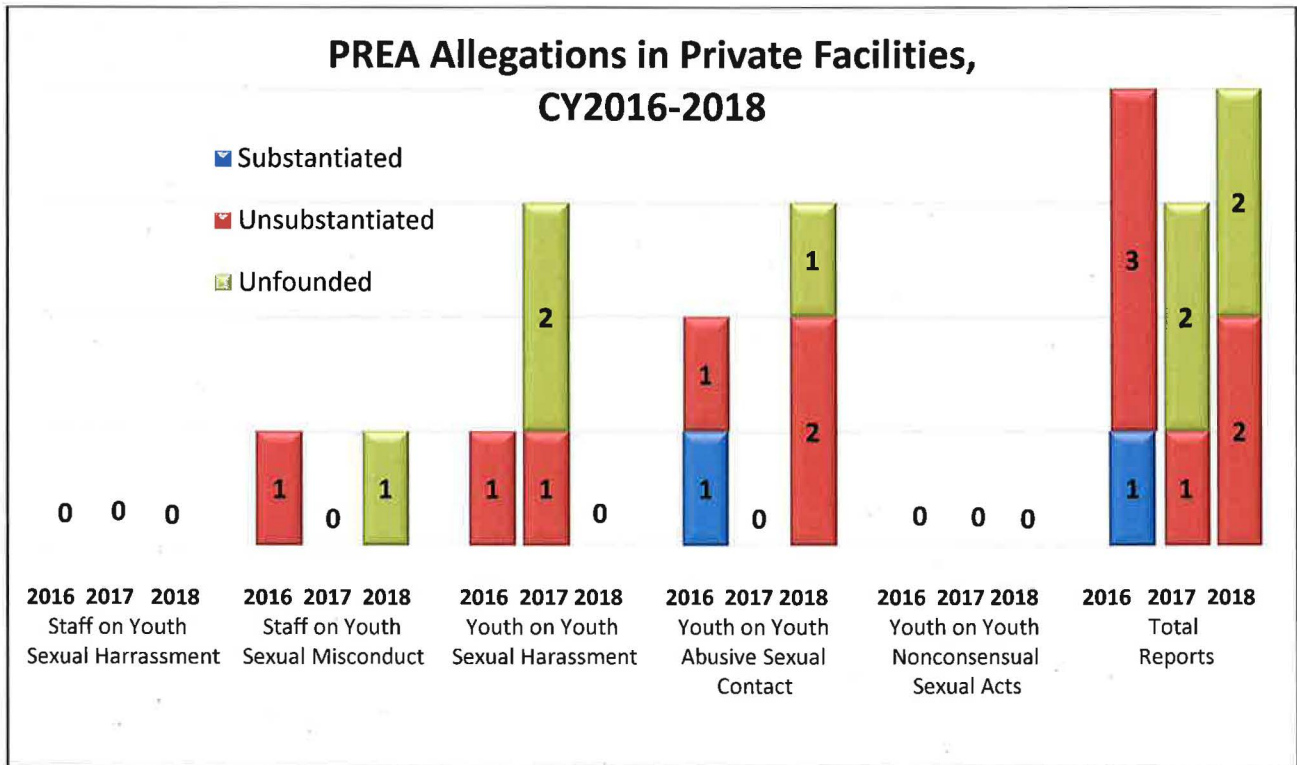
SECTION II

PRIVATE PROVIDERS

Figure 6. Basic Demographics*

	2016	2017	2018
Number Private Providers Servicing DJS Youth*	53	52	45
Total Census December 31	252	214	185
Male	210	185	162
Female	42	29	23
Age 17 and younger	160	148	124
Age 18-20	91	66	61
Age 21 or older	1	0	0
Annual Total youth admitted	521	427	398
Annual Total youth discharged	582	464	390

Figure 7. Aggregate data for calendar years 2016-2018 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

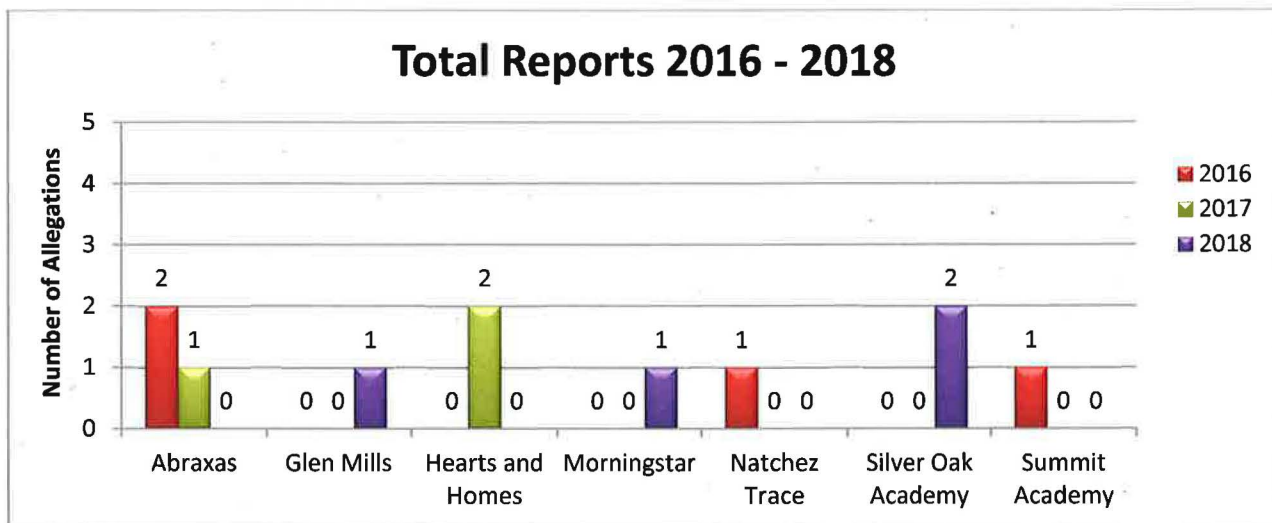
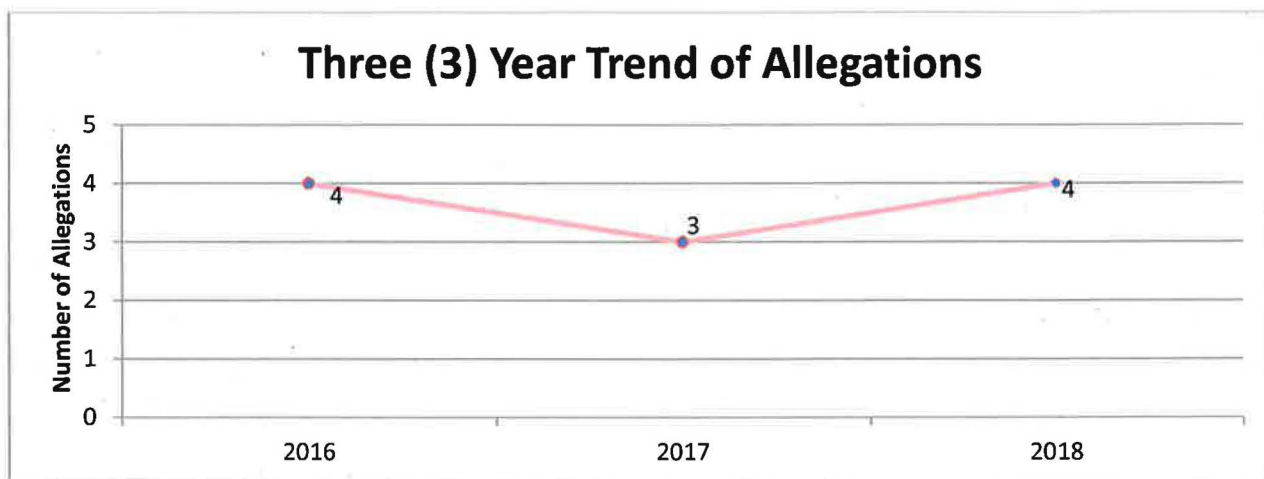


Figure 9 -Total Reported Allegations – Three (3) Year Trend



Private Provider Analysis

Private provider services are monitored by the DJS Quality Assurance Unit. In 2018, there were four (4) allegations reported across three (3) facilities, two (2) unsubstantiated and two (2) unfounded findings. There were no substantiated incidents in 2018.

- Silver Oak Academy- One (1) unfounded incident of staff on youth sexual misconduct. A male youth alleged male staff touched his genitals during a pat down search. One (1) unsubstantiated case of youth on youth abusive sexual contact. A male youth alleged a male youth grabbed his genitals during the fight.
 - Corrective Action: Immediate contact to Child Protective Services for investigation, through evidence Child Protective Services screened out both incidents.
- Glen Mills- One (1) unsubstantiated incident of youth on youth sexual abusive contact. Two male youth were horse playing with each other. While horse playing, one of the youth alleged he was touched on the genitals by the other youth.
 - Medical and behavioral health services were provided to all youth. The matter was investigated by administration and the youth were separated and transferred to another unit. Law enforcement conducted an investigation and no charges were filed.
- Morningstar Academy- One (1) unfounded incident of youth on youth sexual abusive contact. A male youth alleged a male youth touched his genitals, outside of his clothing.
 - The incident was reported after the youth absconded from the program and later detained at a DJS facility. Investigations by law enforcement and Child Protective Services resulted in no charges filed and the matter was screened out by CPS. DJS conducted an administrative investigation and medical and behavioral health services were provided to the youth.

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

- Four (4) in 2016
- Three (3) in 2017
- Four (4) in 2018

Substantiated incidents were one (1) in 2016, zero (0) in 2017 and 2018.

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 policy and procedures. The PREA Coordinator oversees facility compliance and meets quarterly with Facility 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 and eliminate blind spots.

Training continues to be a significant focus. The following was completed during 2018.

- 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 930 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.
- PREA Coordinator conducted annual training 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 (TMG) was contracted to provide a comprehensive review and analysis of PREA policy and procedures, PREA 2.0 training across a variety of disciplines, and a train the trainer program for selected staff to sustain the training provided by TMG.
- The Moss Group completed the review of ten DJS policies and procedures and updated core components to reflect best practice related to the prevention, detection, and response to sexual harassment and abuse allegations.
- The Moss Group developed an advanced PREA curriculum-PREA 2.0, which consisted of training approximately 400 staff, including direct care, case management specialists, educational, medical and behavioral health staff. The PREA 2.0 curriculum consisted of gender responsive strategies for vulnerable populations to include LGBTI, males, females, gender non-conforming, and limited English proficient youth. Other trainings designed based on current DJS needs and staff feedback were adolescent development and trauma, treatment for victim/perpetrator in confinement settings, implicit bias and organizational culture, and staff professional boundaries. There were also additional trainings provided to 40 PREA Compliance Managers and Administrators on the PREA audit process and cultural change.

- Lastly, The Moss Group provided train the trainers' sessions to 50 DJS certified trainers to sustain the training developed to all DJS staff.
- Administrative investigators, behavioral health and medical staff completed the specialized training offered through the National Institute of Corrections.

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
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