

MFI

110337

110337

REPORT OF THE JOINT OVERSIGHT COMMITTEE ON THE
JUVENILE SERVICES INITIATIVES

Prepared by:
Department of Fiscal Services
December 1987

U.S. Department of Justice
National Institute of Justice

110337

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by

~~Maryland Dept. of Fiscal Services~~

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

Senator Raymond E. Beck, **Chairman**

Senator Thomas L. Bromwell

Delegate William S. Horne

Judge Robert H. Mason

Judge David B. Mitchell

Delegate Charles J. Ryan

Committee Staff

Barbara Klein

Beverley Swaim-Staley



GENERAL ASSEMBLY OF MARYLAND
ANNAPOLIS, MARYLAND 21401

December 21, 1987

Honorable Thomas V. Mike Miller, Jr., President of the Senate
Honorable R. Clayton Mitchell, Jr., Speaker of the House of Delegates
Honorable Members of the Legislative Policy Committee
Honorable Robert C. Murphy, Chief Judge

The Joint Oversight Committee on the Juvenile Services Initiatives respectfully submits its report on issues examined by the Committee during the 1987 Interim.

The Committee met regularly with the new administration of the Juvenile Services Agency (JSA) to review the following: Guidelines for Secure Facilities, Assessment Teams and Intake Standards, Reorganization of JSA Institutions, Community Programs, Montrose School, Hickey School, Special Needs Children, Mission of JSA, and the Administrative Reorganization. The report discusses each of these issues and contains the Committee's recommendations regarding JSA activities.

The Committee will continue to meet through the 1988 Session as JSA proceeds with the closing of Montrose School and begins to focus on Hickey School and the development of additional community-based programs. JSA is also in the process of developing a classification system and a management information system and the Committee will continue to provide oversight of these systems.

The Committee extends its appreciation to the staff at JSA for their cooperation during the Interim.

Respectfully submitted,

Raymond E. Beck, Chairman
Joint Oversight Committee on the
Juvenile Services Initiatives

NCJRS

APR 5 1988

REB/ncs

A COLLECTIONS

REPORT OF THE JOINT OVERSIGHT COMMITTEE ON THE JUVENILE SERVICES INITIATIVES

Background

The Joint Oversight Committee on the Juvenile Services Initiatives was formed based on a directive of the General Assembly set forth in the 1986 Report of the Chairmen of the House Appropriations Committee and the Senate Budget and Taxation Committee (1986 Joint Chairmen's Report). The directive stemmed from the committees' concern that there be continuing oversight and evaluation of the initiatives undertaken by the Juvenile Services Agency (JSA). It was also recommended that the Committee consist of two senators, two delegates, and two judges. In response to the Joint Chairmen's Report, the Legislative Policy Committee of the General Assembly established the Joint Oversight Committee on the Juvenile Services Initiatives to provide monitoring and assessment of JSA.

Introduction

During the 1987 interim, the Committee met monthly with Ms. Linda D'Amario Rossi, Executive Director of the Juvenile Services Agency, and other representatives of the Agency. The primary purpose of the meetings was to exchange information and to monitor Juvenile Services Agency policy changes, which were either in the planning stages or in the process of being initiated. Most issues before the Committee involve areas of ongoing discussion and change. The major issues before the Committee included:

- Guidelines for Secure Facilities
- Classification System
- Assessment Teams and Intake Standards
- Reorganization of JSA Institutions/Community Programs
- Montrose School
- Hickey School
- Community-Based Programs
- Special Needs Children
- Mission of JSA
- JSA Reorganization

A summary of each follows.

Guidelines for Secure Facilities

Juvenile Services Agency caseworkers will recommend to the court that youth who fall under the following categories should be admitted to the training school:

- Category 1 - murder, rape, or kidnapping.

- Category 2 - arson, aggravated assault, felony assault, armed robbery, attempted armed robbery, burglary, robbery, sodomy, possession of narcotics with intent to distribute, distribution of narcotics, or escape from a JSA institution.
- Category 3 - habitual offenders and those who inflict serious bodily injuries not included in Categories 1 and 2.

Exceptions to Category 1 may be made for youth under 13 years of age and exceptions for Categories 2 and 3 may be made for low risk youth based on first offense status, circumstances of the offense, or if the youth is under 13. Children over the age of 14 who have been adjudicated for Category 1 offenses and for Category 2 offenses of armed robbery and attempted armed robbery will be committed to JSA through reverse waiver proceedings.

Classification System

JSA is in the early stages of developing a plan to guide agency decision making in intake, classification, and treatment. It is to provide a framework for case management and accountability, to help identify gaps in services, and to standardize decision making. The project's goals are to: formalize decision making criteria, insure that each child is treated equitably, optimize the utilization of agency resources, and create procedures designed to help case workers assess the needs of each individual client. A detailed timetable for development of the classification system was submitted. The preliminary design of the risk/needs scale has been developed and an advisory committee of legislators, judges, state's attorneys, and public defenders is being formed. The classification system is to be ready for statewide implementation by April, 1988.

The Agency has stated that youth whose offense or offense history represents high risk to the community will be confined in secure settings, while others will be treated in the community.

Assessment Teams and Intake Standards

There are five assessment teams, including three in Baltimore City, one in Baltimore/Harford Counties, and one in Anne Arundel County. JSA is working on a plan to provide assessment teams in every region of the State.

Standards and procedures for intake were developed by the Agency in 1986. These were pilot tested and data from both intake and the assessment teams will be used in the development of the classification system.

Reorganization of JSA Institutions/Community Programs

The Juvenile Services Agency has been reorganizing both its institutional and community programs in an effort to reduce the institutional populations.

In September, 1987, JSA announced its plans to close Montrose School. Since then it has been redefining the catchment areas of the detention centers. Noyes Center (in Montgomery County) is currently undergoing renovations so half of the Noyes population has been temporarily moved to Waxter. Waxter Center (in Anne Arundel County) has also been housing girls and younger boys who were formerly detained at Montrose. Boys Village (in Prince George's County) will detain older boys from the Washington metropolitan area and Hickey Detention Center will serve older boys from the Baltimore metropolitan area. Overcrowding is a problem at most of the detention centers. JSA is hoping to develop a community detention program to help alleviate overcrowding.

The two new youth centers, Doncaster (Southern Maryland) and O'Farrell (Carroll County), have experienced problems in the first year of operation. The first contract for Doncaster has been terminated and Eckerd Foundation will begin operating the Doncaster facility in December. The O'Farrell Center is also under new leadership and intakes are temporarily closed.

See Exhibit 1 for a historical summary of the average daily resident populations by type of facility.

Montrose School

As of July, 1987, the population at Montrose had been reduced to 243 youth, down from 311 in FY 1985. In September, 1987, the Juvenile Services Agency announced plans to close Montrose School by March, 1988 and admissions to Montrose ceased in October, 1987.

As of December 16, the population at the school was down to 45. Approximately half of the children have been returned home, with a number under an Intensive Supervision program. The Agency also has been using existing resources like private group homes, State facilities, and private hospitals.

JSA has contracted with new community providers (discussed below) to aid in its efforts to close Montrose and to reduce the institutional population. According to JSA, the remaining children at Montrose will be the most difficult to place. The Agency has contracted (effective 10/8/87) with the National Center for Institutional Alternatives to provide each child leaving Montrose with an individual and specific treatment/placement plan. The Agency also stated that no additional funds will be required in FY 1988 to pay for the additional community resources.

Most of the staff at Montrose will be transferred to other agencies or programs. A few maintenance positions will continue to be assigned to Montrose in order to maintain the facility once it has been closed. Of the 235 positions appropriated to Montrose, about 140 positions will be transferred to other areas in JSA including Hickey School, clinical support for group homes, community programs, maintenance, transportation, and finance. With normal attrition and transfers within the Agency, it is anticipated that less than 25 employees will be laid-off. The Agency is to work with the Department of Personnel to help place any staff facing layoff in positions in other State agencies.

As to the physical plant at Montrose, a comprehensive building condition review and equipment inventory have been conducted. Control procedures for the shutdown are being established and a timeline which summarizes the closure of Montrose was presented. No plans have yet been developed for the Montrose grounds and buildings.

Hickey School

As of December, 1986, Hickey School had 417 youth, a level well above the goal set by the legislature of 320 at the 1986 Session. The population at Hickey has been running over 400 and was up to 442 in September (360 committed and 82 detained). JSA is hoping to reduce the Hickey population to 375 by next summer and to ultimately decrease the population to 200. To accomplish this reduction, initiatives like those taken at Montrose are being undertaken at Hickey. However, the reduction will be slower because the type of youth at Hickey will require programs offering structure and security in the community. Such programs must be developed before the population level can decline.

Two units at Hickey School are to be used to house a maximum of 20 girls and 20 younger boys who are in need of a secure facility. Additionally, three units in the Enhanced Security Area at Hickey have opened. Two cottages are used as temporary re-adjustment cottages and one cottage is housing eight juveniles committed to Enhanced Security. The fourth cottage will eventually house detained male juveniles.

Community-Based Programs

In efforts to develop alternative programs, JSA used emergency procedures to procure seven contracts for a range of community-based services. These services were acquired from vendors both in and out of State and include the following:

- Youth Advocates Programs, Inc. (Baltimore City) - For 20 to 40 Baltimore City youth under 15 years of age who are not a demonstrable danger to themselves or others. It provides 24 hour crisis intervention, direct services, community linkages, and strong family involvement.
- Associated Marine Institutes, Inc. (at Fort Smallwood) - For 35 Baltimore City and Anne Arundel County youth, ages 15-18, with no physical impairments that prevent participation and who pose no danger to self or the community. Components include a GED program, occupational skills, job finding, counseling, remedial academics, parental involvement, and drug/alcohol counseling.

- Eckerd Family Youth Alternatives, Inc. (Doncaster Site) - For 40 adjudicated, male delinquents, ages 15-17, from Charles, St. Mary's, and Prince George's Counties. This includes a 6-month residential program and a 3-month after-care phase.
- Justice Resources, Inc. (Baltimore City) - For 48 Baltimore City youth, ages 15-18, that Hickey School identifies for release. The youth must not have committed any violent offense, the parents must accept the youth at home, and both the child and the parents must participate in the program. Six months of intensive supervision will be provided.
- Key Program, Inc. Tracking Plus (Baltimore City) - For 16 males, ages 14-17, who have been in residential placement. This includes an 18-30 day residential program, followed by an intensive non-residential program.
- Karma Academy (Frederick County) - For 10-13 emotionally and behaviorally troubled delinquent girls, ages 14-18, who have committed 1-3 offenses. The program includes family relationship and the girl's self-esteem.

Special Needs Children

JSA is a participant in the Governor's Subcabinet on Children and Youth which is to oversee cross-agency initiatives for special needs children. As set out in a March, 1987 progress report jointly prepared by the Departments of Human Resources, Health and Mental Hygiene, and Education, and the Office for Children and Youth, and the State Coordinating Council for the Residential Placement of Handicapped Children, this population is defined as follows:

"Children need adequate food, shelter, clothing, a safe and healthy environment, the guidance of caring adults, adequate physical and mental health care, and an appropriate education in order to become self-sufficient independent adults. The existence of some factor or combination of factors within the child or the child's environment may make it difficult for the family to meet one or more of these basic needs. A child may be born into extreme poverty, may have a severe physical handicap, live within an unstable, neglectful, or abusive environment, have a serious mental or emotional disturbance, or may become dependent on drugs or alcohol. We call these 'special needs children'".

The report summarized the Departments' activities during FY 1987 for special needs children. It also established certain goals and recommendations for the agencies to pursue.

However, the executive branch was also to have submitted by July 1, 1987 (as directed by the Joint Chairmen's Report of 1986) a plan to identify the resources and estimated cost to serve those special needs children who may be receiving inappropriate or inadequate services. The executive branch requested an extension of time to submit this report due to changes in personnel, organization, and the service delivery process (primarily related to JSA). While the due date for this report was extended to May 1, 1988, the agencies were reminded by the budget committees of the General Assembly that assuring services for special needs children have been a concern of the committees for several years and that they did not wish to further delay appropriate programs and an integrated service delivery system for these children. To assure continued progress, an update on service developments and specific plans was requested for hearing in December. To ensure the provision of available services to these children, each agency is expected to address which children they will serve and which services they will provide.

Mission of JSA

Article 41C of the Annotated Code of Maryland provides the following policy statement concerning the Juvenile Services Agency:

"It is the policy of the State that the agency comply with the provisions of Subsection 3-802 of the Courts and Judicial Proceedings Article."

That article sets forth the following:

"(a) The purposes of this subtitle are:

(1) To provide for the care, protection, and wholesome mental and physical development of children coming within the provisions of this subtitle; and to provide for a program of treatment, training, and rehabilitation consistent with the child's best interest and the protection of public interest;

(2) To remove from children committing delinquent acts the taint of criminality and the consequences of criminal behavior;

(3) To conserve and strengthen the child's family ties and to separate a child from his parents only when necessary for his welfare or in the interest of public safety;

(4) If necessary to remove a child from his home, to secure for him custody, care, and discipline as nearly as possible equivalent to that which should have been given by his parents;

(5) To provide judicial procedures for carrying out the provisions of this subtitle.

(b) This subtitle shall be liberally construed to effectuate these purposes."

While these provisions represent the current policy of the State, Humphrey Institute consultants, working in conjunction with representatives of the executive branch, found that JSA is an agency that has responsibility for children of all ages and needs who may or may not be juvenile offenders. They concluded that many of JSA's clients would, in another state, probably be served by human services agencies; and that many of the juveniles waived to adult courts in Maryland are similar to youth in juvenile corrections' agencies around the country.

To address these issues the Agency has undertaken the following:

- By working with the Subcabinet on Children and Youth to determine how each agency will assume responsibility for the various children under their purview.
- By convening three policy committees, which will focus on: (1) waivers of juveniles to the adult system, (2) continuing jurisdiction, and (3) reviews of CINS (Children in Need of Services) and CINAs (Children in Need of Assistance).
- By acquiring the services of a vendor to conduct a major profile study on the JSA population to be done under the auspices of the Department of State Planning.
- By conducting a workshop for JSA managers to redefine the Agency's mission and to develop a strategic plan for the future.

JSA Reorganization

A new organizational structure has been instituted for JSA. Reporting directly to the executive director are three deputy directors (for community programs, institutional programs, and management and budget), an investigator, a special assistant, a legislative liaison, a principal counsel, and a management associate. The ten regions in the State are now under the supervision of the Deputy Director of Community Programs. The institutions have been moved from the supervision of the regional supervisor to the Deputy Director of Institutional Programs. The entire reorganization is estimated by JSA to cost \$150,000.

Findings and Recommendations

As a result of its review and assessment of initiatives and policy changes of the Juvenile Services Agency, the following findings and recommendations are made by the Committee.

1. The Committee is encouraged by the Agency's willingness to work with the Legislature and Judiciary in designing policies and priorities, and urges JSA to continue the working relationships that have been established over the past several months.
2. The Committee commends JSA for making swift progress in developing community placements as an alternative to institutional care; however, the Committee cautions the agency that they must take careful action to insure both proper placement of children in programs, and close monitoring of their progress. It is vital that proper care for the child, as well as public safety of the community, be assured as children are cared for in community programs. In particular, the Committee requests that the children leaving Montrose School be tracked to evaluate the success of these new placements.

3. In reviewing both existing and proposed community-based programs, the Committee finds that a number of existing vendors offer effective programs for youth. These vendors should be encouraged to continue providing these services and devise new approaches to community-based care. This should be coupled with initiatives that create an atmosphere conducive to attracting providers who offer innovative models of care. JSA should retain the authority to incorporate changes in vendors' programs as the need arises. JSA should also evaluate the existing Negotiated Rate structure prior to recommending any rate increases and present their findings to the Committee.
4. The Agency should continue to design the services required in order to offer a continuum of care that provides a diversity of programs from intake through aftercare. Such care should address the multiple problems of children in JSA's custody. Specifically, the Committee believes that development of a program for sex offenders should be the next priority among community programs. It is understood that sufficient services should be available before placing youth in a community setting. Children should be able to access services based upon their treatment needs, not where they live.
5. The Committee is cognizant of the Legislature's concern that appropriate programs, as well as an integrated service delivery system, are not available for children with special needs. The Committee understands that the Governor has appointed a Subcabinet on Children and Youth that is to coordinate cross-agency initiatives for these children. It is appropriate that interagency services be coordinated and that all agencies cooperate to insure the appropriate provision of services; however, due to changes in personnel, organization and the service delivery process, effective coordination has not been achieved. The Committee requests that the Governor's Office intercede in this process to insure that an integrated service delivery system is provided.
6. The Legislature requested a plan to identify resources and costs for serving special needs children. The report was due on July 1, 1987. At the request of the Executive Branch, the due date was extended to May 1, 1988. The Committee concurs with the budget committees of the General Assembly that such a plan is vital and that further delays in the provision of this plan and an integrated delivery system will not be tolerated.
7. The Committee requests that the Agency prepare a three year plan including resource needs and costs that reflects the major change in JSA policy direction (moving from institutional to community-based programs). This report shall be due by July 1, 1988.
8. The Committee and the Agency recognize that some children will continue to require care in secure facilities; therefore, the Agency should evaluate existing programming, services, and personnel at the institutions to determine their viability, and propose and develop any needed alternatives.

9. The Committee understands that JSA has not had an opportunity to focus on reducing the population at Hickey School. The Committee requests that JSA develop a proposal to serve these youth and that JSA begin to focus on Hickey School and make every effort to reduce the population there.
10. The Committee finds that the Juvenile Services Agency's proposed plan and timetable for developing a classification system is acceptable. The Committee understands that the classification system will be ready for statewide implementation by April, 1988. Since this system is essential to guide intake and treatment, it is imperative that the Agency meet this deadline. The development and implementation of a formalized statewide assessment process is integral to this system. This process will not only assist the judiciary in their decisions regarding disposition but will help to assure proper placement and appropriate provision of services by JSA.
11. JSA should maintain a comprehensive case record for each child that should be updated on a timely basis. This record shall follow the child from intake through aftercare and shall be available to all providers of treatment. Because a number of children return to JSA's care, it is especially important that that these records are maintained and available for future use.
12. The appropriateness of JSA's mission has been raised by the new Director of the Agency. The Committee advises that prior to making any changes in the Agency's mission, that JSA should advise the Committee of its recommendations.
13. The Department of State Planning should begin exploring alternative uses for the Montrose School buildings and grounds and should develop proposals for the physical facility. The Department of General Services should offer assistance in any plans for renovation.
14. JSA should proceed with the development of the Juvenile Management Information System (JMIS). JMIS should have the capability to interface with other departments' information systems.

EXHIBIT 1

Average Daily Resident Population

<u>Type of Residence</u>	<u>1986 Actual</u>	<u>1987 Actual</u>	<u>1988 Estimated</u>	<u>1988 1st Quarter Actual</u>
Purchase of Care-Basic Care	78	61	80	56
Purchase of Care-Full Service	135	195	197	197
Purchase of Care-Super Rate	62	69	92	92
Purchase of Care - Intermediate Care	86.6	85	101	71
Thomas J.S. Waxter Children's Center	53	43	40	45
Boy's Village	65	58	56	59
Charles H. Hickey, Jr. School	411	416	327	432
Montrose	280	233	227	170
JSA Youth Centers	180	163	177	164
Alfred Noyes Center	35	35	35	26
Thomas R. O'Farrell Youth Center	-	26	40	37
Doncaster Youth Center	-	29	40	25