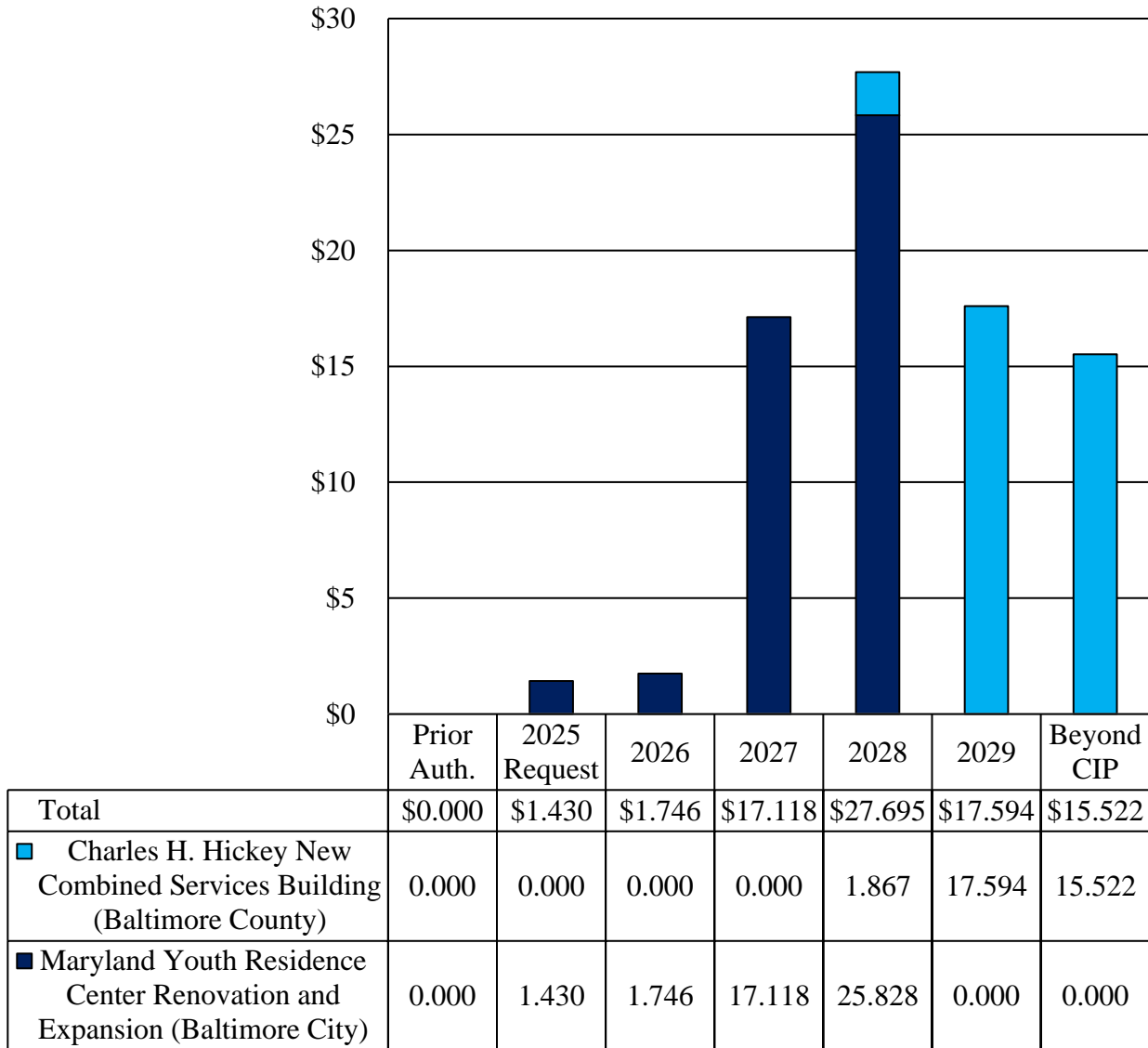


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Capital Budget Summary

State-owned Capital Improvement Program
(\$ in Millions)



CIP: *Capital Improvement Program*

Note: Both projects are funded with general obligation bonds.

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Key Observations

- Utilization Rate of Facilities for Detained and Committed Populations Increased:*** Since fiscal 2019, the capacity of detention and committed treatment facilities decreased from 411 and 214 to 312 and 84 in fiscal 2024 as the Department of Juvenile Services (DJS) closed facilities. In the same period, the average daily population (ADP) of youth placed in DJS detention facilities decreased from 280.8 to 262.4. The utilization rate of detention and committed treatment facilities increased, however, from 68.3% and 61.2% in fiscal 2019 to 84.1% and 89.7% in fiscal 2024 year-to-date (YTD) data.
- DJS Is Reviewing Its Capital Needs:*** DJS added the Maryland Youth Residence Center (MYRC) Renovation and Expansion project to its current request, but its long-term population needs are difficult to anticipate. The proposed budget includes the deauthorization of \$6.9 million provided for a committed treatment facility project with a larger capacity than MYRC. It also includes the deauthorization of \$1.6 million provided to increase capacity for the detained female youth population. DJS will develop a new facilities master plan (FMP) by December 31, 2024.

GO Bond Recommended Actions

- Delete general obligation bond funding for the Maryland Youth Residence Center project.

VE01A	Maryland Youth Residence Center Renovation and Expansion	\$0
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<u>Allowance</u>	<u>Change</u>	<u>Authorization</u>
1,430,000	-1,430,000	0

Explanation: Delete general obligation bond funding for the Maryland Youth Residence Center Renovation and Expansion project.

Total General Obligation Bonds Reductions	\$1,430,000
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Updates

- Baltimore City Juvenile Justice Center:*** DJS anticipates that the Baltimore City Juvenile Justice Center – Education Expansion project will be completed in July 2024 and reports that there will be no operating budget impact in fiscal 2025.

Performance Measures and Outputs

DJS provides individualized care and treatment to youth under age 18 who violate criminal law, are likely to violate that law, or are likely to endanger themselves or others. This responsibility is carried out through residential and nonresidential care programs. The State’s capital program addresses the facilities in which the residential programs are provided, which include:

- community residential facilities, such as group homes, which are programs designed to prevent youth from being placed in a secure residential facility or to facilitate the return of previously institutionalized youth to the community;
- secure detention facilities, which hold youth who have been authorized for emergency detention by a DJS intake officer, have been accused of an offense that would be a crime if committed by an adult, or have been ordered detained by a court. These facilities also hold youth who have been adjudicated delinquent and pending placement to a committed program; and
- secure committed facilities, which hold youth who are entrusted to the department for long-term treatment in a secure setting.

Secure Detention Population Trends

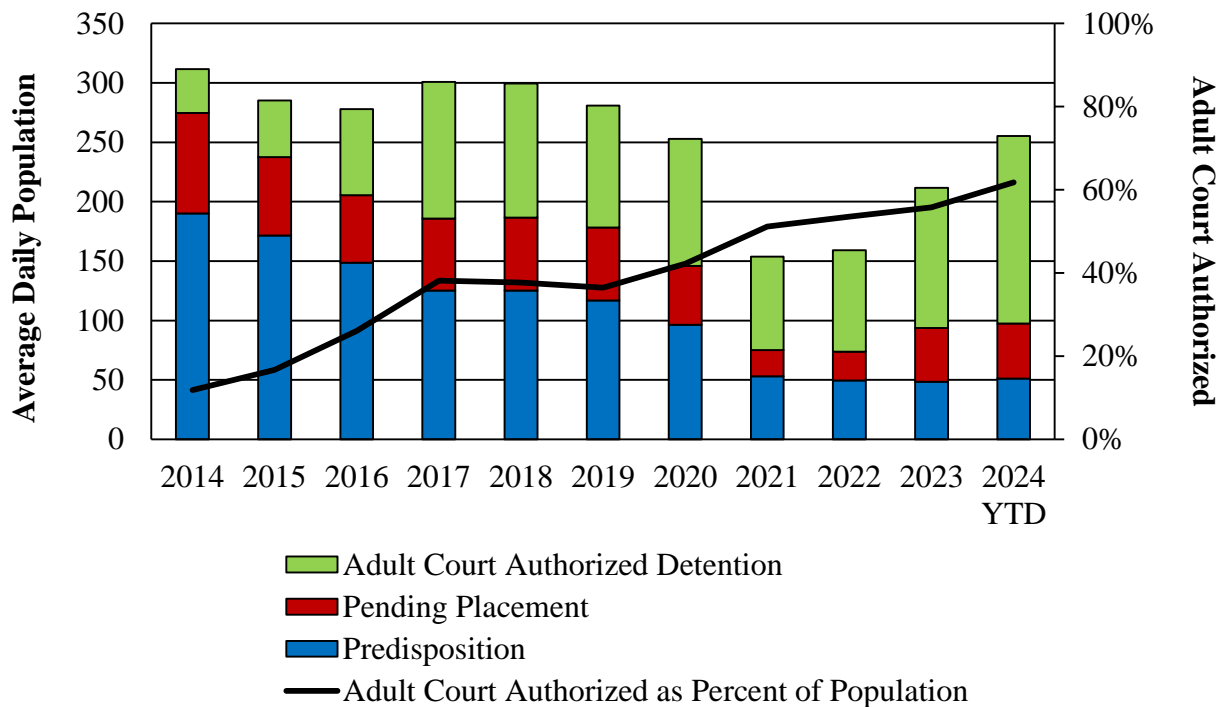
The detained ADP consists of three populations: the secured detention predisposition population; the secured pending placement population; and the adult court authorized detention population (or “adult court population”). In fiscal 2014, DJS began to divert youth charged as adults from adult detention to juvenile detention, per an agreement with Baltimore City. This agreement was codified and expanded statewide with the enactment of Chapter 69 of 2015, which requires a court to order a youth charged as an adult to be held in juvenile detention pending transfer if that youth is eligible to be transferred to the juvenile system.

Prior to the COVID-19 pandemic’s onset, the total detained population had shown signs of stability even as overall complaints declined. However, the ADP fell from 253 in fiscal 2020 to 154 in fiscal 2021 and then increased slightly to 159 in fiscal 2022. While overall complaints declined during the pandemic, the operations of the Judiciary also yielded reductions in the detained and committed populations. On April 13, 2020, an order was issued directing local courts to find alternatives to detaining juveniles in facilities to minimize their risk of contracting COVID-19. This order formalized DJS’ practice of minimizing youth interaction with the juvenile court system as well as its pivot toward community rather than residential programming during the pandemic.

Since overall complaints rose 74.5% between fiscal 2021 and 2023 and the courts have been fully operational, the ADP has risen to 262.4 in fiscal 2024 YTD. This figure is 3.8% higher than in fiscal 2020, even as the predisposition and pending placement population ADPs remain

44.5% and 2.0% below their fiscal 2020 levels. The adult court population has become a larger percentage of the overall detained ADP with each year, as seen in **Exhibit 1**. The adult court population now accounts for 61.0% of the detained population – the highest proportion since DJS assumed responsibility in fiscal 2014. This is the fourth year in a row that the adult court population has made up over half of the detained population.

Exhibit 1
Average Daily Population and Percentage of Adult Court Authorized
Fiscal 2014-2024 YTD



YTD: year to date

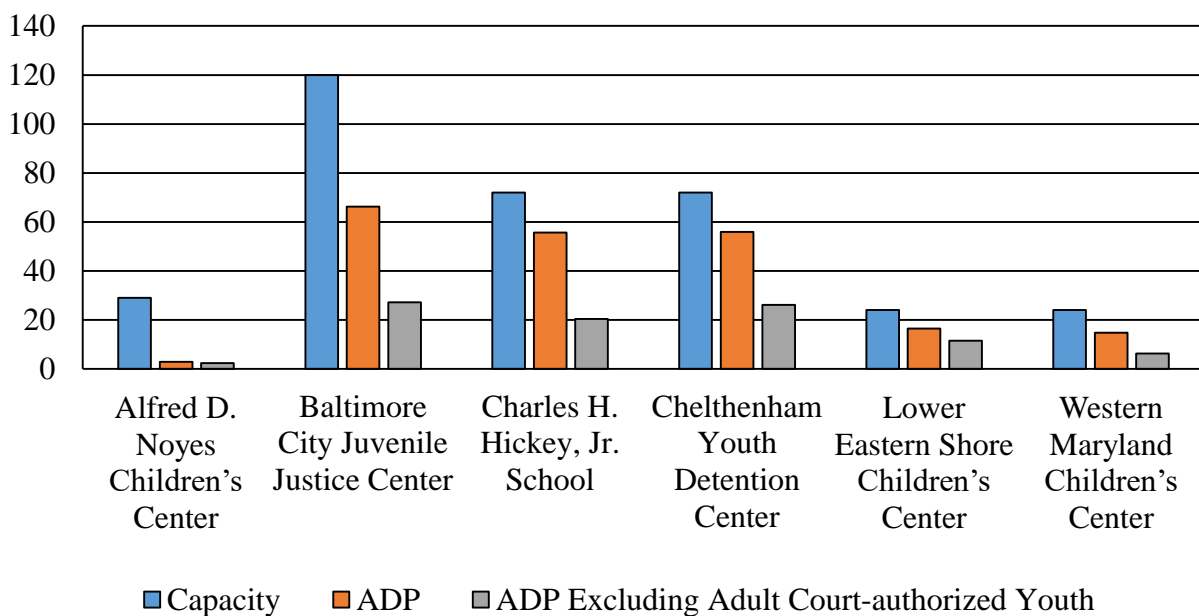
Note: Fiscal 2024 data reflects the first six months of the fiscal year.

Source: Department of Juvenile Services

Exhibit 2 compares the rated capacity of DJS’s detention facilities to its fiscal 2023 ADP. Overall, the detention ADP was 211.8 in fiscal 2023. This is 129.2 youths below the department’s rated capacity of 341 youths at the start of fiscal 2023. However, the Alfred D. Noyes Children’s Center (Noyes) closed on October 18, 2022, partially through the fiscal year. Therefore, DJS operated most of fiscal 2023 with a capacity of 312. An ADP of 211.8 is 100.2 youths below the department’s adjusted capacity. Excluding adult court-authorized youth, the detained ADP was 93.8 in fiscal 2023. Despite its significantly higher average length of stay, the adult court

population did not result in capacity concerns within the department’s detention facilities. Excluding Noyes, the department’s detention facilities were at 68.0% capacity in fiscal 2023 on average. The Cheltenham Youth Detention Center (CYDC) operated the closest to capacity, with total detained ADP of 77.6% in fiscal 2023 and 36.3% when excluding adult court authorized youth.

Exhibit 2
Department of Juvenile Services Detention Facilities
Rated Capacity versus ADP
Fiscal 2023



ADP: average daily population

Note: The Alfred D. Noyes Children’s Center closed in fall 2022 and remains closed.

Source: Department of Juvenile Services

Committed Residential Population Trends

DJS has established three levels of residential program placements based largely on the level of program restrictiveness:

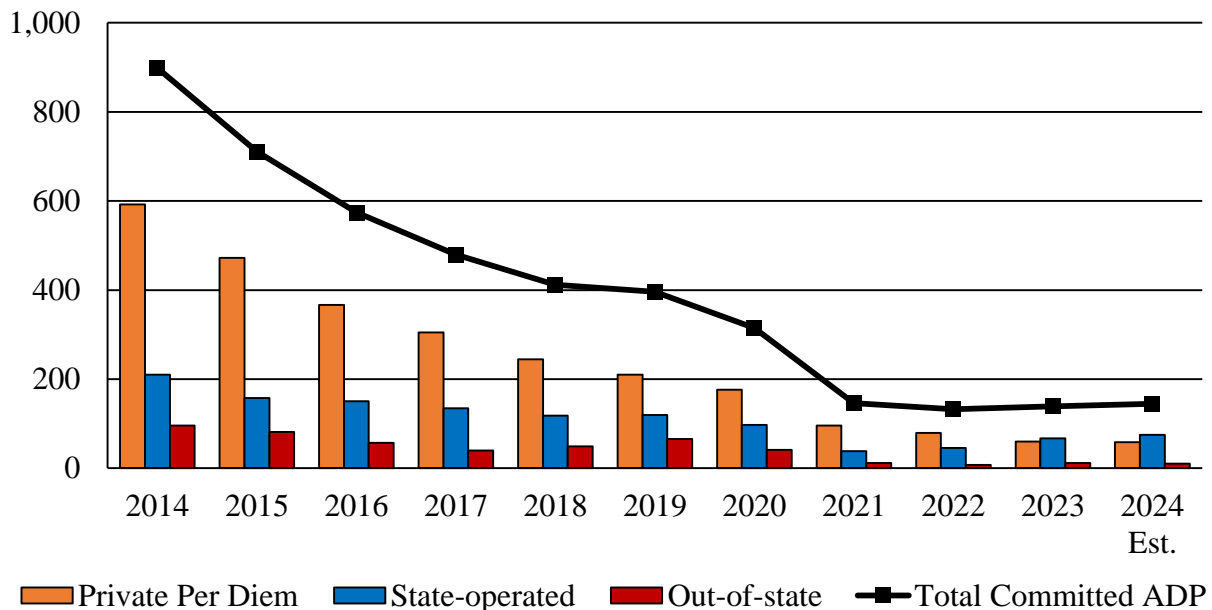
- Level I includes all programs where youth reside in a community setting and attend community schools;

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- Level II includes programs where educational programming is provided on grounds and youth movement and freedom is restricted primarily by staff monitoring or supervision; and
- Level III programs provide the highest level of security by augmenting staff supervision with physical attributes of the facility, e.g., locks, bars, and fences.

State-run committed residential facilities do not provide adequate capacity to accommodate the number of youths requiring out-of-home placements nor do they provide the full complement of programming required to address the variety of treatment needs for the committed population. To that end, DJS contracts with private in-state and out-of-state vendors to provide services to committed youth. **Exhibit 3** shows the committed residential ADP for each of the possible committed placements between fiscal 2014 and 2024 YTD.

Exhibit 3
Committed Residential Average Daily Population
Fiscal 2014-2024 Est.



ADP: average daily population

Note: Fiscal 2024 data reflects the first six months of the fiscal year.

Source: Department of Juvenile Services

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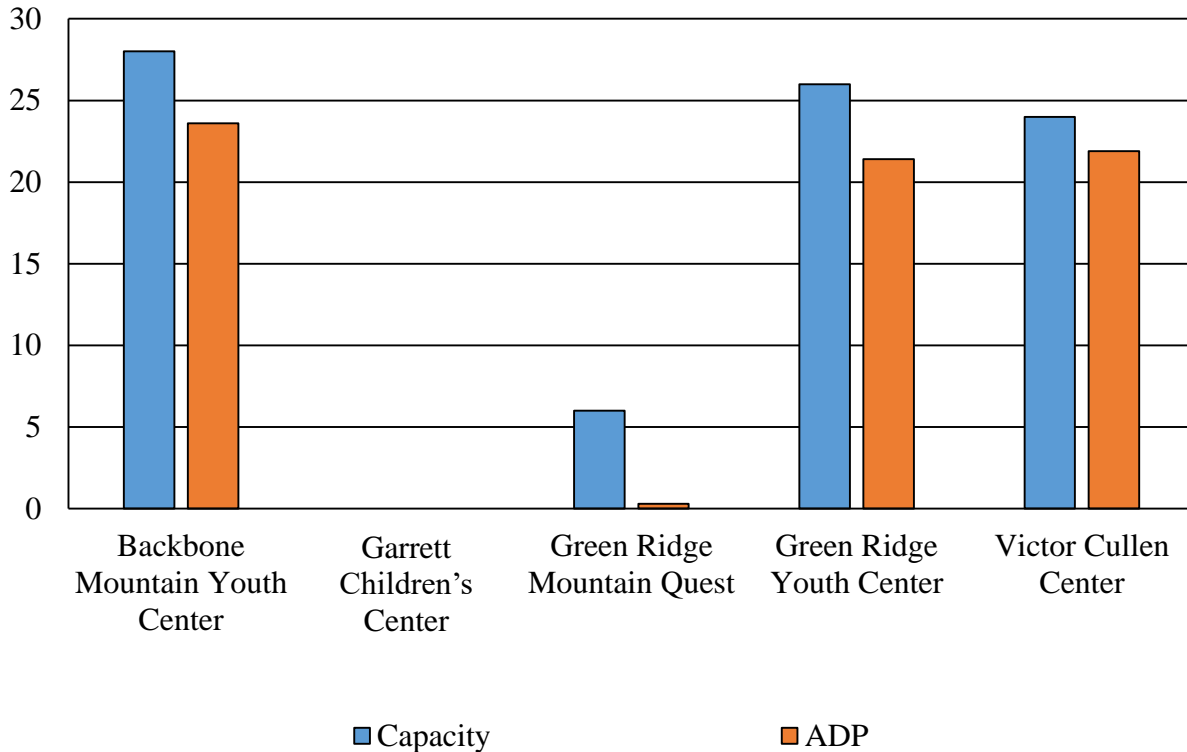
State-operated placements are programs at facilities that are operated and owned by DJS. This population saw a 46.8% increase in fiscal 2023, with the ADP of youths rising from 45.7 to 67.1. The ADP to State-operated facilities in fiscal 2023 was also higher than to private per diem or out-of-state entities. Even as the ADP rises in fiscal 2024, utilization of State-operated placements remains 37.1% lower than it was in fiscal 2019.

Per diem placements are programs operated by private providers, and the State pays for only the number of days a youth is actually placed in the program. The private per diem ADP decreased by 19.1 youth, or 24.1%, between fiscal 2022 and 2023. Since fiscal 2014, the private per diem ADP has fallen 90.1% to 58.8 in fiscal 2024 YTD.

The out-of-state ADP increased by 3.8 youth, or 49.4%, in fiscal 2023. Out-of-state placements accounted for just 8.3% of the department's total committed ADP in fiscal 2023. During the pandemic, DJS made efforts to bring youth back in-state and reduce the number of placements made out-of-state. These efforts were successful and have been continued; fiscal 2023 and estimated fiscal 2024 data are 82.4% and 84.3% lower than in fiscal 2019.

Consistent with the overall DJS population trends, the committed residential ADP continued to decline in fiscal 2020 and 2021. However, while the detained population increased slightly in fiscal 2022, the committed population continued to fall in fiscal 2022 to approximately 133 youth. In fiscal 2023, the committed ADP rose by 4.5%, with almost all of the growth coming from placements in State-operated facilities. Growth is expected to continue in fiscal 2024 based on the first six months of data. A comparison of the total space and the ADP usage is provided in **Exhibit 4**.

Exhibit 4
Department of Juvenile Services Committed Treatment Facilities
Rated Capacity versus ADP
Fiscal 2023



ADP: average daily population

Note: Garrett Children's Center was temporarily closed throughout fiscal 2023. In fiscal 2023 and 2024, the Department of Juvenile Services continued to utilize it for educational staff who broadcast virtual instruction to different facilities. The Green Ridge Mountain Quest closed in November 2022.

Source: Department of Juvenile Services

In fiscal 2024 YTD data, the ADP rises to 75.4. Excluding Green Ridge Mountain Quest, which closed in November 2022, and the capacity added to Green Ridge Youth Center and the Victor Cullen Center a few days before the end of the fiscal year, DJS committed treatment facilities operated at an average of 85.9% capacity in fiscal 2023. Additional discussion of the trends in facility utilization rates can be found in the Issues section of this analysis.

Summary of Fiscal 2025 Funded State-owned Projects

Maryland Youth Residence Center Renovation and Expansion

Project Summary: This project will renovate a facility in Baltimore City and add a two-story addition to create a 24-bed hardware secure treatment facility for male youth. The facility would add committed treatment capacity to a centrally located area of the State, closer to courts, medical facilities, and youths’ families. The facility is currently used by DJS as an evening reporting center (ERC), and DJS reports that operations would be relocated to the Reisterstown Plaza ERC location.

New/Ongoing: New								
Start Date: December 1, 2024					Est. Completion Date: June 1, 2028			
Fund Sources:								
(\$ in Millions)	Prior Auth.	2025	2026	2027	2028	2029	Beyond CIP	Total
GO Bonds	\$0.000	\$1.430	\$1.746	\$17.118	\$25.828	\$0.000	\$0.000	\$46.122
Total	\$0.000	\$1.430	\$1.746	\$17.118	\$25.828	\$0.000	\$0.000	\$46.122
Fund Uses:								
(\$ in Millions)	Prior Auth.	2025	2026	2027	2028	2029	Beyond CIP	Total
Planning	\$0.000	\$1.430	\$1.746	\$1.517	\$0.000	\$0.000	\$0.000	\$4.693
Construction	0.000	0.000	0.000	15.601	24.516	0.000	0.000	40.117
Equipment	0.000	0.000	0.000	0.000	1.312	0.000	0.000	1.312
Total	\$0.000	\$1.430	\$1.746	\$17.118	\$25.828	\$0.000	\$0.000	\$46.122

- Need:** The department has pursued adding an additional committed treatment facility through its *Capital Improvement Program* (CIP) for several years. This project is intended to replace the planned Cheltenham Youth Treatment Center (CYTC) that was to be colocated on the grounds of the CYDC. CYTC would have had a 48-bed capacity and increased the available committed treatment facility capacity for male and female youth by 40 and 8, respectively. Though MYRC has a smaller planned capacity, the department determined it to be aligned with the current population’s needs. Pursuing the MYRC project is also a cost-saving measure; it is projected to cost \$46.1 million while CYTC was most recently estimated to cost \$122.9 million. Renovations are necessary as the existing facility lacks a sprinkler system, smoke detector and alarm systems, and adequate air circulation. It also lacks detention grade building material and anti-ligature design. Expansion is necessary to achieve programmatic space requirements. The completed facility would be compliant with American Correctional Association standards.
- Project Status and Schedule:** As scheduled, the design phase for this project would begin in December 2024, and construction would begin in December 2026. With 18 months of construction, the project would be completed in June 2028. It has not yet received program part 1 approval from the Department of Budget and Management.

- **Concerns:** Though DJS submitted its part 1 facility program for MYRC in September 2023, the part 1 approval process may yet take some time. Any delays to the approval process could result in a later design phase start date. Since the start of fiscal 2024, the ADP of the committed youth population rose from 67.1 to 75.4, a 12.3% increase. DJS is currently reviewing its long-term capital needs, which may be greater than when this project was requested. The most recently prepared FMP for DJS is from calendar 2015. Since that time, the department announced a major facilities realignment plan in November 2021. That realignment plan was partially completed but is not reflected in the current CIP as it is no longer suited to the population needs. DJS reports that it expects to prepare a new FMP by December 31, 2024. Additional information can be found in the V00A – DJS operating analysis. The department is also reviewing its needs in relation to proposed juvenile justice legislation this session. The Department of Legislative Services (DLS) is concerned that as the department evaluates its needs and develops a new FMP, this could result in changes to this project’s scope and the department’s priorities for capital spending. **DLS recommends deleting the design funding for the MYRC renovation and expansion project.**

Summary of Out-year State-owned Projects

- ***Charles H. Hickey New Combined Services Building (Baltimore County):*** This project proposes to build a new combined services building and regional warehouse at the Charles H. Hickey Jr. School. This facility would be the central storage site for equipment and supplies to DJS facilities located in the nearby region. Since its inclusion in the previous CIP, the estimated project cost has decreased by \$403,000, or 2%, to \$19.5 million due to a revised cost estimate by the Department of General Services. Initial design funding is planned for fiscal 2028.

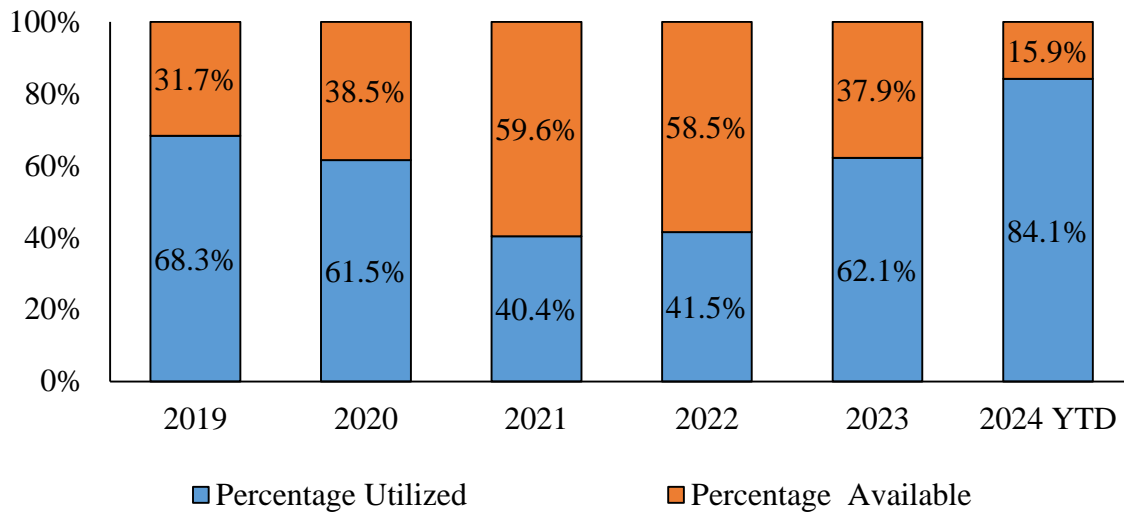
Issues

1. Facility Utilization Rates Increased for Detained and Committed Youths

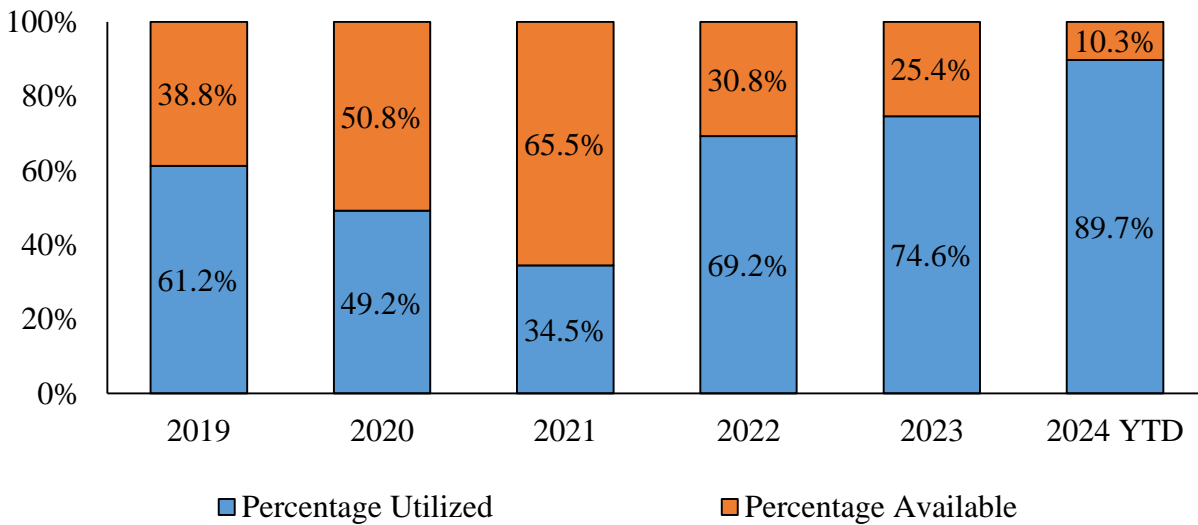
As DJS evaluates its population needs, it will have to consider how the ADP of the detained and committed youths has changed over time as well as total facility capacity. The capacity of detention and committed treatment facilities decreased from 411 and 214 in fiscal 2019, to 312 and 84 in fiscal 2024. On different occasions, facilities were closed, or populations were moved to bring youth closer to their communities, to provide better services for female youth, to address staffing issues, and because of poor facility conditions. In the same period, the ADP of youth placed in DJS detention facilities decreased from 280.8 to 262.4. The ADP of youth placed in DJS committed treatment facilities decreased from 119.9 to 75.4. Though populations declined, the decreased capacity was sufficient to increase the utilization rates, as shown in **Exhibit 5**.

**Exhibit 5
Utilization Rates of Detention and Committed Treatment Facilities
Fiscal 2019-2024 YTD**

Detention Facilities



Committed Treatment Facilities



YTD: year to date

Note: Fiscal 2024 data reflects the first six months of the fiscal year.

Source: Department of Juvenile Services; Department of Legislative Services

Over the fiscal 2019 to 2024 period, many changes occurred that decreased overall capacity. At the end of June 2020, DJS closed the J. DeWeese Carter Center and the Meadow Mountain Youth Center. In March 2022, the Thomas J.S. Waxter (Waxter) Children’s Center closed. Girls who were placed at Waxter then moved to Noyes. Also in fiscal 2022, Backbone Mountain Youth Center had its capacity decreased to 18 for most of the fiscal year, and the Victor Cullen Center’s capacity decreased from 48 to 18. In October 2022, Noyes was closed for renovations, and its staff relocated to CYDC. The Green Ridge Mountain Quest facility and Garrett Children’s Center closed a few weeks later in November 2022. The bedspaces at Backbone Mountain Youth Center, Green Ridge Youth Center, and Victor Cullen were increased in fiscal 2023, bringing the capacity at committed treatment facilities from 66 to 84, partially to support greater population demands.

The utilization rate of detention and committed treatment facilities has increased from 68.3% and 61.2% in fiscal 2019 to 84.1% and 89.7% in fiscal 2024 YTD data. While operating in fewer facilities allows DJS to consolidate its staff and save on other operational costs, it is unusual for the department to operate at utilization levels this high. Fluctuations or a continued rise in the population levels could pose significant challenges. **DJS should comment on whether it plans to re-open any recently closed facilities to support population needs in fiscal 2024 and 2025 or if it plans to adjust detention and committed treatment facility capacity in any way.**

2. Plans for Female Populations Evolve

In recent years, DJS has sought to consolidate its female youth. Previously, the department had been planning on building a new 48-bed female detention center on the Cheltenham campus referred to as the New Female Detention Center. When the New Female Detention Center opened, it would consolidate the services provided at Noyes in Montgomery County and Waxter in Anne Arundel County. The site of this planned detention center was originally going to be the Thomas O’Farrell Center, located in Carroll County, which had closed in December 2008. The New Female Detention Center site changed to Cheltenham in the 2021 CIP, before the project changed scope and became the CYDC – Addition for Females project in the 2022 CIP. Waxter closed on March 2, 2022, and Noyes closed on October 18, 2022. At the start of fiscal 2024, committed female youth were located at the Victor Cullen Center, while detained female youth were housed at CYDC and the Lower Eastern Shore Children’s Center. All detained female youth were moved to the Western Maryland Children’s Center (WMCC) on October 16, 2023.

Both projects deauthorized by the fiscal 2025 capital budget bill – CYDC – Addition for Females and CYTC – would have included bedspace for female youth in DJS care on the grounds at Cheltenham. This removal may be aligned with the current facility needs, as the additional bedspace created by these projects would have far exceeded the anticipated female ADP. WMCC has a capacity of 24, and the male youths placed there were transferred to other detention facilities in the State for the facility’s conversion to a female facility. Because the ADP for female youth is approximately 8 in fiscal 2024 YTD, this means that 7.7% of detention bedspace is for female youth who make up 3% of the total detention population. As of November 28, 2023, there were no girls placed at the Victor Cullen Center.

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DJS should clarify where female youth in a State-operated committed treatment facility would currently be placed and comment on the plan for housing its female detained and committed populations in the remainder of fiscal 2024 and in fiscal 2025. DJS should also comment on its long-term housing plan for female youth, given its goal of locating youth closer to their families.