

V00
Department of Juvenile Services – Capital

Capital Budget Summary

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

Projects	Prior Auth.	2022 Request	2023 Est.	2024 Est.	2025 Est.	2026 Est.	Beyond CIP
New Female Detention Center (Prince George's)	\$6.193	\$23.427	\$26.045	\$36.690	\$0.000	\$0.000	\$0.000
Baltimore City Juvenile Justice Center	0.758	2.550	7.342	0.000	0.000	0.000	0.000
Charles H. Hickey School Detention Center (Baltimore City)	0.000	0.000	0.000	0.000	5.681	4.545	111.494
Charles H. Hickey Combined Services Building (Baltimore)	0.000	0.000	0.000	0.000	1.163	0.000	21.405
Alfred D. Noyes Children's Center (Montgomery)	0.000	0.000	0.000	0.000	0.000	4.260	86.738
Total	\$6.951	\$25.977	\$34.387	\$38.690	\$6.844	\$8.805	\$219.637

Fund Source	Prior Auth.	2022 Request	2023 Est.	2024 Est.	2025 Est.	2026 Est.	Beyond CIP
GO Bonds	\$6.951	\$25.977	\$33.542	\$36.640	\$6.844	\$8.805	\$219.637
Total	\$6.951	\$25.977	\$33.542	\$36.640	\$6.844	\$8.805	\$219.637

CIP: *Capital Improvement Program*
GO: general obligation

Key Observations

Fiscal 2022 is the first year since fiscal 2018 that the Department of Juvenile Services (DJS) receives funding in the capital budget. DJS receives \$26.0 million in general obligation (GO) bond funds for two projects. The first is the construction of a new female detention center in Prince George’s County located on the grounds of the Cheltenham Youth Facility. The second is the construction of expanded educational programming space at the Baltimore City Juvenile Justice Center (BCJJC). Funding for both projects had been delayed several times due to revisions to the project scope during the design phase.

Summary of Recommended Bond Actions

1. Baltimore City Juvenile Justice Center Education Expansion

Approve the authorization of \$2.550 million in general obligation bonds for the Baltimore City Juvenile Justice Center – Education Expansion.

2. New Female Detention Center

Approve the authorization of \$23.427 million in general obligation bonds for the New Female Detention Center project.

3. SECTION 13 – Department of Juvenile Services – Baltimore City Juvenile Justice Center

Approve the preauthorization of \$7.182 million in general obligation bonds in fiscal 2023 for the Baltimore City Juvenile Justice Center – Education Expansion project.

4. SECTION 13 – Department of Juvenile Services – New Female Detention Center

Approve the preauthorization of \$26.360 million in general obligation bonds in fiscal 2023 for the New Female Detention Center project.

5. SECTION 14 – Department of Juvenile Services – New Female Detention Center

Approve the preauthorization of \$36.640 million in general obligation bonds in fiscal 2024 for the New Female Detention Center project.

Performance Measures and Outputs

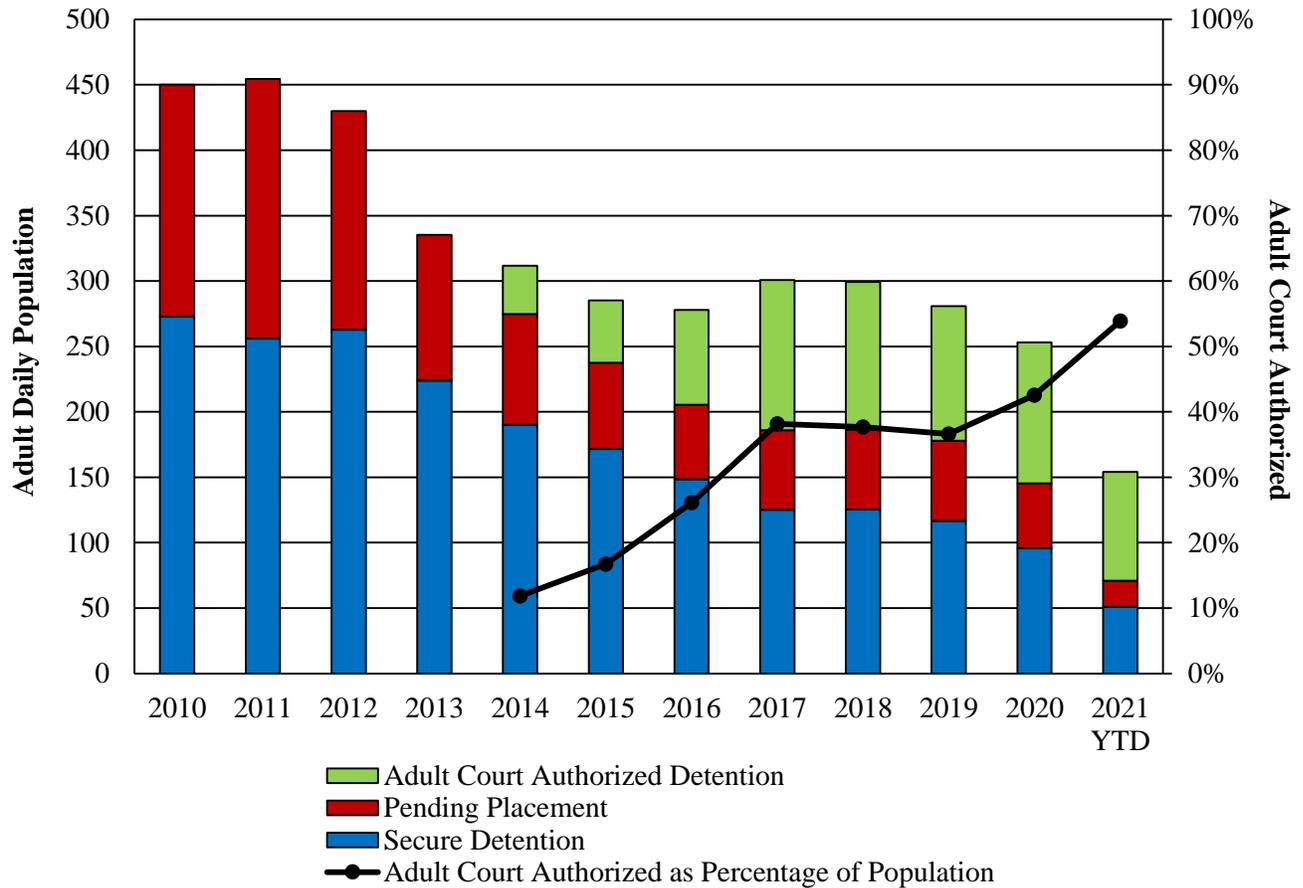
DJS provides individualized care and treatment to youth under the age of 18 who violate criminal law, are likely to violate that law, or are likely to endanger themselves or others. This responsibility is carried out through residential and nonresidential care programs. The State’s capital program addresses the facilities in which 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 average daily population (ADP) consists of three populations: (1) the secured detention population; (2) the secured pending placement population; and (3) the adult court-authorized detention population (or “adult court population”). In recent years, the total detained population had shown signs of relative stability, prior to the onset of the COVID-19 pandemic. Whereas the detained ADP totaled 280 youth in fiscal 2019, ADP fell to 253 in fiscal 2020, and then to 154 in fiscal 2021 year to date. At the same time, the adult court population has become a larger percentage of the overall detained ADP with each year, as evidenced by the line in **Exhibit 1**. The adult court population now accounts for 53.9% of the detained population – the highest proportion since entering DJS’s custody in fiscal 2014.

**Exhibit 1
Detained Population
Average Daily Population and Percentage of Adult Court Authorized
Fiscal 2010-2021 YTD**



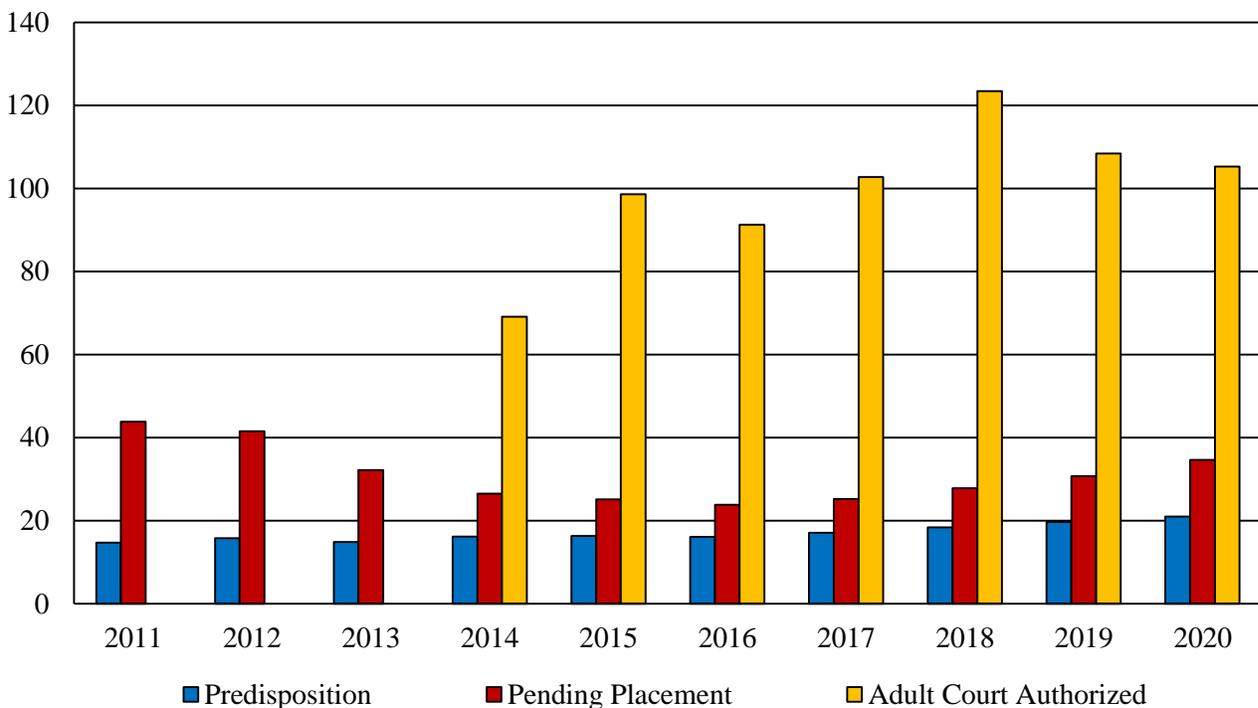
YTD: year to date

Source: Department of Juvenile Services

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. As shown in Exhibit 1, the adult court population accounts for 53.9% of the total detained population, the highest percentage since DJS gained custody of these youth in fiscal 2014. As the length of stay remains significantly higher than their non-adult court counterparts, these youth will remain a higher percentage of the DJS total detained population.

The reauthorization and reform of the federal Juvenile Justice and Delinquency Prevention Act mandates that youth held in adult facilities and adult-authorized youth be moved to juvenile detention centers by December 21, 2021. As shown in **Exhibit 2**, in fiscal 2020, the average length of stay (ALOS) for the adult-authorized population was already 105 days, approximately five times that of predisposition youth and three times that of youth pending placement. While DJS has largely been fulfilling this mandate already, this may have a still undetermined impact on the youth ALOS and court operations.

Exhibit 2
Average Length of Stay by Placement
Fiscal 2011-2020

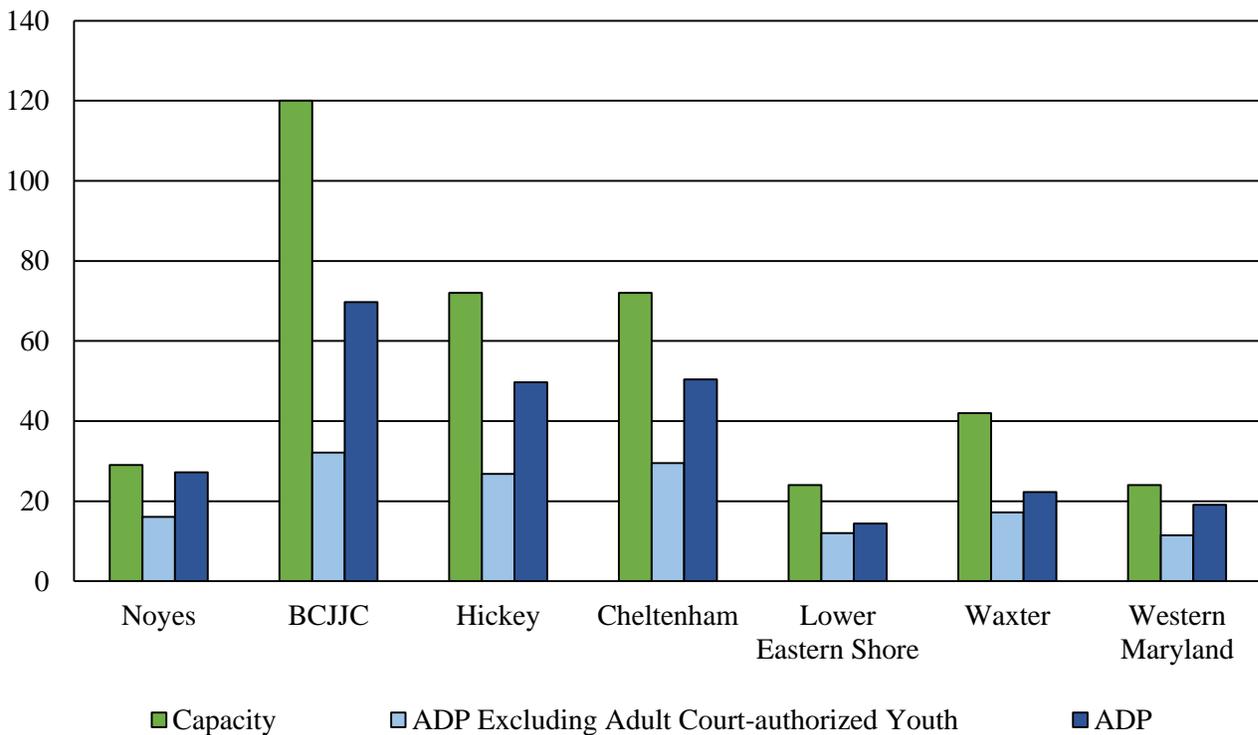


Source: Department of Juvenile Services

Exhibit 3 compares the rated capacity of DJS’s detention facilities to its fiscal 2020 ADP. Overall, the detention ADP was 252.9 in fiscal 2020. This is 158.1 youth below the department’s rated capacity of 411. Excluding adult court-authorized youth, the detained ADP was 145.3 in fiscal 2020. Despite its significantly higher ALOS, the adult court population has not necessarily resulted in capacity concerns within the department’s detention facilities. The department’s detention facilities were at 69% capacity in fiscal 2020, on average. The Alfred D. Noyes Children’s Center operated the closest to capacity – its total detained ADP was 94% in fiscal 2020 and 55% when excluding adult

court-authorized youth. This is largely driven by a reduction in the facility’s capacity in March 2020. It is worth noting, however, that the proposed new female detention center would house female youth currently detained at Alfred D. Noyes Children’s Center; in fiscal 2020, the female ADP at Alfred D. Noyes Children’s Center was 5.2 youth.

**Exhibit 3
Department of Juvenile Services Detention Facilities
Rated Capacity vs. ADP
Fiscal 2020**



ADP: average daily population
 BCJJC: Baltimore City Juvenile Justice Center
 Cheltenham: Cheltenham Youth Detention Center
 Hickey: Charles H. Hickey, Jr. School
 Lower Eastern Shore: Lower Eastern Shore Children’s Center
 Noyes: Alfred D. Noyes Children’s Center
 Waxter: Thomas J.S. Waxter Children’s Center
 Western Maryland: Western Maryland Children’s Center

Note: The Noyes Center’s capacity was lowered from 57 to 29 in March 2020. For the purposes of this chart, the current capacity is reflected for this facility.

Source: *Department of Juvenile Services Fiscal 2020 Data Resource Guide*

Committed Residential Population Trends

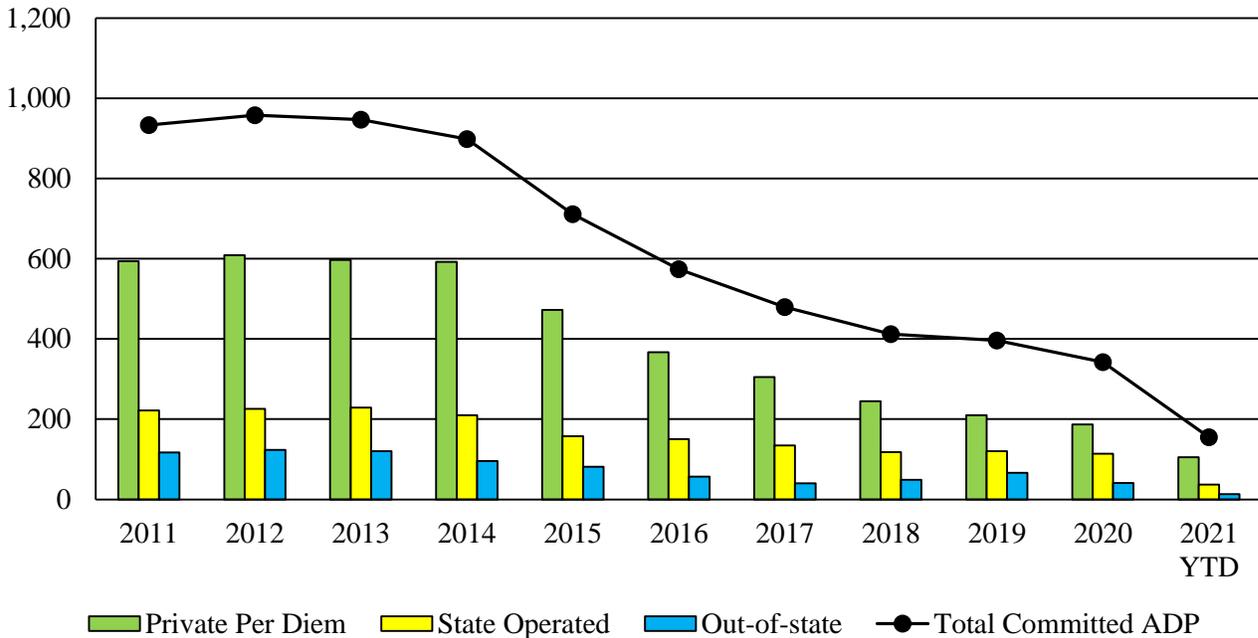
DJS has established three levels of residential program placements based largely on the level of program restrictiveness:

- Level I includes all programs where youth reside in a community setting and attend community schools.
- Level II includes programs where educational programming is provided on grounds, and youth movement and freedom is restricted primarily by staff monitoring or supervision.
- 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 youth 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. DJS also contracted with private providers to operate programs in state-owned facilities until fiscal 2010, when the last of these contracts was discontinued.

Exhibit 4 shows the committed residential ADP for each of the possible committed placements between fiscal 2011 and 2021 year-to-date; consistent with the overall DJS population trend, the committed residential ADP continued to decline in fiscal 2019. The committed ADP declined by 81 youth, or 20.5%, between fiscal 2019 and 2020. The fiscal 2021 year-to-date ADP continues to drop further, falling to 155.0 youth, which is less than half the fiscal 2020 ADP of 314 youth.

**Exhibit 4
Committed Residential ADP
Fiscal 2011-2021 YTD**



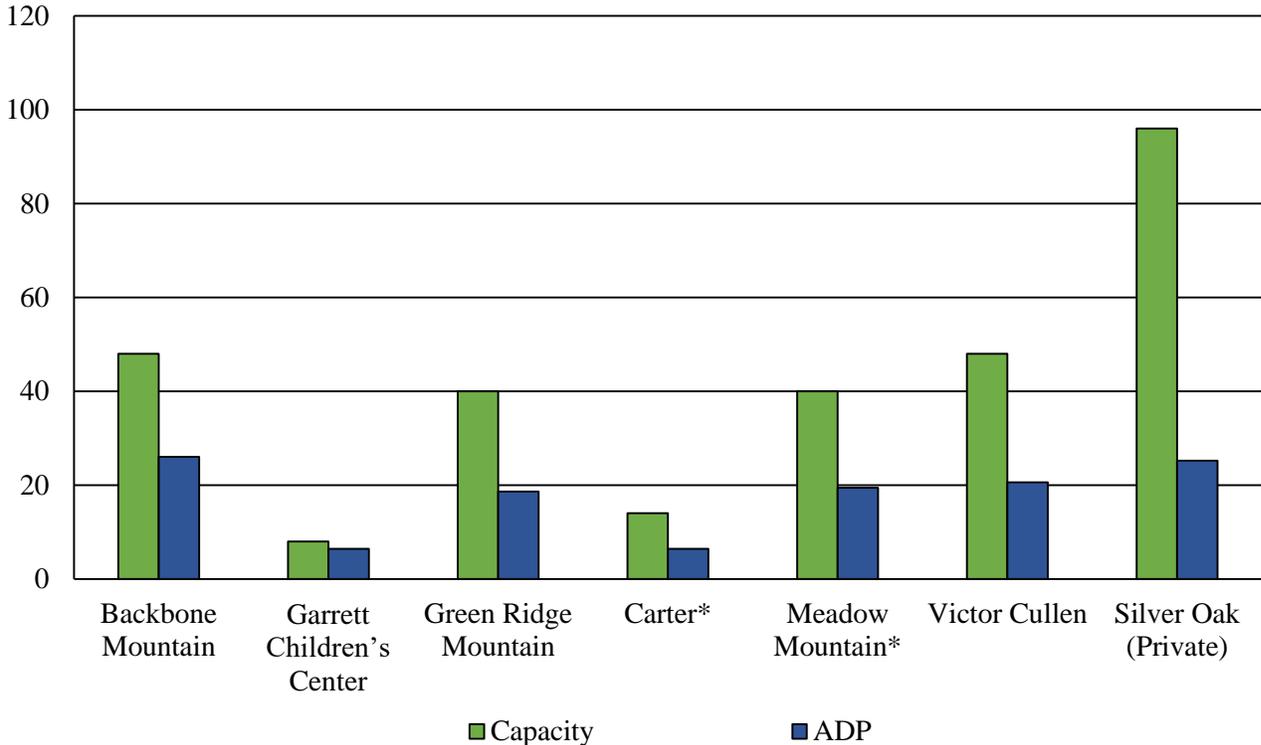
ADP: average daily population
YTD: year to date

Source: Department of Juvenile Services

State-operated placements are programs at facilities that are operated and owned by DJS. This population saw only a small change in ADP, decreasing from 120 to 97 youth in fiscal 2020. Per diem placements are programs operated by private providers, and the State pays for only the number of days that a youth is actually placed in the program. The private per diem ADP decreased by 34 youth, or 16.3%, between fiscal 2019 and 2020. The out-of-state ADP dropped by 25 youth, or 37.9% in fiscal 2020. Out-of-state placements accounted for 12.0% of the department’s total committed ADP in fiscal 2020. During the pandemic, DJS has made efforts to bring youth back in-state; the fiscal 2021 year-to-date ADP for out-of-state youth is just 13.0.

As of fiscal 2020, the ADP for State-run committed facilities was 114 youth, a 5% decrease from the previous fiscal year. All DJS secure committed facilities continue to operate under capacity, as shown in **Exhibit 5**. This data also includes population and capacity information for the privately run Silver Oak Academy in Carroll County because this private facility exclusively serves DJS youth. Including the Silver Oak Academy, the residential committed population accounted for 41.7% of total committed capacity in fiscal 2020.

**Exhibit 5
Department of Juvenile Services Committed Facilities
Rated Capacity vs. ADP
Fiscal 2020**



ADP: average daily population
Carter: J. DeWeese Carter Center

*The Carter Center closed at the end of fiscal 2020, and youth were moved to Backbone Mountain Youth Center. Meadow Mountain Youth Center was closed at the end of fiscal 2020, and youth were moved to Green Ridge Youth Center and Backbone Mountain Youth Center.

Note: Green Ridge Mountain reflects both the Green Ridge Mountain Youth Center and the Green Ridge Mountain Quest Program.

Source: Department of Juvenile Services

On May 29, 2020, DJS announced two permanent facility closures at the J. DeWeese Carter Center (Carter) and the Meadow Mountain Youth Center. Programming at Carter was transferred to the Mountain View facility on the Backbone Mountain Youth Center campus. At that location, the female youth have dedicated buildings, staff, and services. A total of three youth were relocated. Programming at Meadow Mountain Youth Center will be moved to nearby Green Ridge Youth Center and Backbone

Mountain Youth Center. A total of seven youth were relocated among the two facilities to best meet their programmatic needs. Accounting for these operational changes, the committed capacity decreases to 240 beds; the fiscal 2020 residential committed population would account for 51% of this decreased capacity.

It is also worth noting that Silver Oak Academy had an ADP of 25.2 in fiscal 2020, just 26% of the facility's capacity. **DJS should explain the programming provided at the Silver Oak Academy facility, how it differs from that of State-owned facilities, and whether it is possible for the youth housed at Silver Oak Academy to be accommodated by any of the State's committed facilities.**

Budget Overview

DJS receives \$26.0 million in GO bonds in fiscal 2022 to begin the construction phase of two projects: (1) a new female detention center in Prince George's County; and (2) the expansion of education facilities at BCJJC. This is the first year since fiscal 2018 that DJS has received funding in the capital budget.

New Female Detention Center

The fiscal 2022 budget includes \$23.4 million to complete the design phase and begin the construction phase of a new detention center to house female youth in Prince George's County. This new facility will be a 48-bed detention center located on the grounds of the Cheltenham Youth Facility. As a detention center, it will house female youth awaiting a court disposition or awaiting post-disposition placement. In addition, funding is provided to construct a combined services facility and demolish seven existing buildings on the Cheltenham grounds.

Female detention services are currently provided by the Alfred D. Noyes Children's Center in Montgomery County, the Thomas J.S. Waxter Center in Anne Arundel County, and the Lower Eastern Shore Children's Center located in Wicomico County. The new female detention center would consolidate these services from the Alfred D. Noyes Children's Center and the Thomas J.S. Waxter Center detention centers, which have programmatic and security deficiencies. The Lower Eastern Shore Children's Center would continue to serve female youth as well.

The new female detention center will include space for youth housing, health, food service, education, and recreation. The center will also provide gender-specific services such as women's health services and space for female youth who are mothers to interact with their children. As stated, the center will have a 48-bed capacity, well above the fiscal 2020 detained female ADP of 30.5 across all three female detention facilities. This provides enough bed space within the new facility in the event that the female population begins to grow. This also provides adequate space under the current ADP to accommodate temporary surges in the population, or accommodate instances when youth may need to be separated for safety purposes.

V00 – Department of Juvenile Services – Capital

The project scope has been expanded to also include a combined service and storage building and the demolition of several vacant buildings on the Cheltenham property. The new facilities maintenance and storage building will be an 11,300 net square foot (NSF) facility that will serve the facilities on the Cheltenham grounds as well as within the department’s metro region. This facility was added to the project scope because the construction of the new female detention center will require the demolition of buildings currently used for maintenance and storage. The construction of this new facility would ensure the continuity of maintenance services.

Revisions to the design and scope of this project resulted in several years of delays. Originally planned to be located in Carroll County at the old O’Farrell Center site, the project faced opposition from neighboring communities and delays in obtaining easements to install utility infrastructure. Additional delays stemmed from the discovery that a portion of the proposed site was partially owned by the federal government. As a result, it was decided to relocate the detention center to the grounds of the newly constructed Cheltenham Youth Treatment Facility. The department believes that this will lead to cost savings due to the consolidation of services, including transporting youth to and from court and medical facilities. The Cheltenham site provides an opportunity to rescope the facility to include an expansion of behavioral health services space and the expansion of educational programming to adhere to Maryland State Department of Education (MSDE) requirements. As noted, the new scope of the project now also includes a combined services center and the demolition of several buildings on the site.

Due to the increase in scope, the total project cost is estimated to be \$95.3 million, an increase of \$27.6 million from the last time that the project received funding in fiscal 2018. Construction is expected to begin in January 2022 and conclude in January 2024.

Baltimore City Juvenile Justice Center – Education Expansion

DJS had previously received a total of \$758,000 in GO bonds to fund the design phase of this project. The existing administrative area within BCJJC will be renovated to provide space for expanded educational programming and administrative services. The current educational programming space is too small and poorly configured to conform to MSDE regulations. When the current facility was constructed, DJS regulations required youth to receive four hours of education each day. Chapter 535 of 2004 expanded this requirement to six hours each day, which in turn increased the amount of space needed. The current facility lacks a sufficient number of classrooms, and the classrooms currently in the facility are well below the departmental standard size of 600 NSF. The current BCJJC facility will be expanded by constructing a building addition onsite, adjacent to the facility, which is currently used as a parking lot. The expansion will be located within the secure perimeter of BCJJC and will be accessed by an enclosed walkway on the ground level.

The project has not received funding since fiscal 2018 and has undergone several design changes since being initially proposed by the department. Originally, the new education space was planned as a three-story building located across the street from the current facility and connected by a pedestrian overpass. The original plan was scrapped after it was decided to locate the education center on the second floor of the center with an addition to be built adjacent to the current structure. These

V00 – Department of Juvenile Services – Capital

project design changes delayed construction funding. The 2018 *Capital Improvement Program* (CIP) programmed construction to commence in fiscal 2020 and be completed in fiscal 2021. However, due to scope changes, the 2019 CIP deferred the construction and equipment funding to fiscal 2021. The 2020 CIP further delayed the start of construction to fiscal 2022.

The project is estimated to cost \$10.7 million. The 2021 CIP recommends providing \$2.6 million in GO bonds to complete the design phase and begin the construction phase. Construction is set to begin in April 2022 and is anticipated to last for 12 months.

Operating Budget Impact Statement

Executive’s Operating Budget Impact Statement – State-owned Projects
Fiscal 2022-2026
(\$ in Millions)

	2022	2023	2024	2025	2026
Baltimore City Juvenile Justice Center Education Expansion					
Estimated Operating Cost	\$0.000	\$0.029	\$0.120	\$0.124	\$0.127
Estimated Staffing	0.000	0.000	0.000	0.000	0.000
New Female Detention Center					
Estimated Operating Cost	\$0.000	\$0.000	\$0.428	\$1.056	\$1.086
Estimated Staffing	0.000	0.000	0.000	0.000	0.000
Total Operating Impact					
Estimated Operating Cost	\$0.000	\$0.029	\$0.548	\$1.180	\$1.213
Estimated Staffing	0.000	0.000	0.000	0.000	0.000

Summary of Other Projects in the Capital Improvement Program

The 2021 CIP includes funding for three out-year projects:

- ***Charles H. Hickey Jr. School Detention Center (Baltimore County)***: This project proposes to construct a new detention center on the Charles H. Hickey, Jr. School’s Pratt Campus, which is currently unused. This facility will include space for housing, visitation, staff training, education, somatic and behavioral health, and recreation for 72 youth. The current facility has significant configuration problems, resulting in security and programming concerns. Design funds are expected to be provided in fiscal 2025, and the project is expected to total \$121.7 million.
- ***Charles H. Hickey Jr. School 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. The total project cost is \$22.6 million with design funds being provided in fiscal 2025.
- ***Alfred D. Noyes Children’s Center (Montgomery County)***: This project proposes to build a new 48-bed detention center to serve detained youth in the DJS’ metro region, awaiting court disposition or post-adjudication placement. The new facility will replace an aging facility with programmatic and security deficiencies. Design funds will be provided in fiscal 2026, and project costs are expected to total \$91.0 million.

The 2021 CIP has deferred funding for the Charles H. Hickey Jr. School Detention Center from fiscal 2024 to 2025, and funding for the Alfred D. Noyes Children’s Center from fiscal 2025 to 2026. These projects were deferred to align with the project schedule and due to limited capacity in the budget, respectively. It is worth noting that, while population trends do not necessitate additional bed capacity, the security and programmatic deficiencies at these facilities suggests the need for their replacement.

Projects Removed from CIP

One project is removed from the 2021 CIP, the proposed expansion to the Cheltenham Youth Treatment Center in Prince George’s County, as shown in **Exhibit 6**. DJS is currently reevaluating the need for such an expansion, as the continued decline in the detention population suggests there is not a need for additional bed space.

Exhibit 6
Projects Removed from the *Capital Improvement Program*

<u>Project</u>	<u>Description</u>	<u>Reason for Deferral</u>
Cheltenham Youth Treatment Center – Expansion	Construct a 24-bed expansion to the current Cheltenham Youth Treatment Center.	Department is reevaluating the need for this project due to residential population trends.

Source: Department of Budget and Management, 2021 *Capital Improvement Program*

Preauthorizations

Preauthorizations are provided to two projects, as shown in **Exhibit 7**. This includes the preauthorization of funding for the new female detention center in fiscal 2023 and 2024 and for BCJJC in fiscal 2023. Preauthorizations total \$33.5 million in fiscal 2023 and \$36.6 million in fiscal 2024. These preauthorizations provide the necessary cash flow to allow the Board of Public Works to approve of construction contracts at the appropriate time for each project.

Exhibit 7
Preauthorizations
Fiscal 2023-2024

<u>Project</u>	<u>2023</u>	<u>2024</u>	<u>Reason</u>
New Female Detention Center	\$26.360	\$36.640	Provide necessary cash flow for the construction phase of the project.
Baltimore City Juvenile Justice Center Education Expansion	7.182		Provide necessary cash flow to complete the construction phase of the project.

Source: Department of Budget and Management, 2021 *Capital Improvement Program*

GO Bond Recommended Actions

1. Approve the authorization of \$2.550 million in general obligation bonds for the Baltimore City Juvenile Justice Center Education Expansion. This funding will complete the design phase and begin the construction phase of the project.
2. Approve the authorization of \$23.427 million in general obligation bonds for the New Female Detention Center. This will complete the design and begin construction for this project.
3. Approve the preauthorization of \$7.182 million in general obligation bonds in fiscal 2023 for the Baltimore City Juvenile Justice Center Education Expansion project.
4. Approve the preauthorization of \$26.360 million in general obligation bonds in fiscal 2023 for the New Female Detention Center project.
5. Approve the preauthorization of \$36.640 million in general obligation bonds in fiscal 2024 for the New Female Detention Center project.