

THE STATE OF MARYLAND COMPLIANCE MONITORING MANUAL

Updated: April 2016

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INTRODUCTION

Monitoring means to watch, observe, or check for a special purpose. In this case, the special purpose is to see that the goals of the Juvenile Justice and Delinquency Prevention Act (JJDP A) of 1974, as amended, are fulfilled. The JJDP A seeks to ensure the following core protections:

1. Deinstitutionalization of Status Offenders (DSO);
 - Juveniles who have committed crimes that would not be crimes if committed by an adult may not be held securely in any adult facility for any reason or length of time.
2. Separation of alleged and adjudicated delinquent offenders, status offenders and non-offenders from adult offenders in institutions (Separation); and
 - Juvenile offenders will not be detained or confined in any institution in which they have sight or sound contact with adult inmates.
3. Removal of Juveniles from Adult Jails and Lockups (Jail Removal)
 - No juvenile shall be detained or confined in any jail or lockup for adults. The exception is accused or adjudicated delinquent offenders may be held securely in an adult jail or lockup for up to six hours prior to court, for up to six hours after court, and for up to six hours for processing, identification, interviewing, and releasing to parents/guardians or transfer to a juvenile facility.
4. Disproportionate Minority Contact (DMC)
 - To address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of the minority groups, who come into contact with the juvenile justice system.

MONITORING AUTHORITY

The authority for compliance monitoring comes from the JJDP, 42 U.S.C. 5633. State Plans give the State Administering Agency (SAA) the authority to monitor for compliance. As the SAA, the Governor's Office of Crime Control & Prevention (GOCCP) has been granted the authority to monitor for compliance by Executive Order 01.01.2014. This basic authority gives GOCCP the right to develop and to enforce, pursuant to State statutes, standards for all secure and non-secure facilities that might hold, detain or admit juveniles, to inspect the facilities for compliance, to cite facilities for violations of the standards and to enforce sanctions when violations are not corrected.

The Juvenile Justice Policy Unit at GOCCP includes the Compliance Monitor, Juvenile Justice Specialist, and Statewide Disproportionate Minority Contact (DMC) Coordinator. This Unit will review records containing detention; holding or admission information and the Compliance Monitor will respect the confidential nature of the information and will not knowingly record or divulge information.

Procedures:

1. State statutes define the responsibility of agencies that may be holding juveniles securely with regard to the development and implementation of licensing requirements or other standards for operation. The Unit will utilize existing federal requirements as defined in the JJDP (42 U.S.C 5633 [Sec. 223]) and standards as found in the Office of Juvenile Justice and Delinquency Prevention (OJJDP) Guidance Manual for Monitoring Facilities under the JJDP for reporting compliance violations to both GOCCP and the violating agency.
2. The Governor's Executive Order 01.01.2014.15 gives GOCCP the responsibility for ensuring the proper administration of funds, which the State is entitled to under the JJDP thereby giving the authority to inspect and review records of juvenile detention, holding or admission to GOCCP.
3. The Compliance Monitor is part of the Juvenile Justice Policy Unit within the Eastern Region at GOCCP and directly reports to the Director of Juvenile Justice. GOCCP staff dedicated to compliance work directly with the Compliance Monitor and report to the Director of Juvenile Justice regarding compliance. GOCCP retains the accountability for the overall performance of the monitoring tasks.

DESCRIPTION OF MONITORING TASKS/TIMELINE

A detailed description of the monitoring tasks as well as the identification of the agency or agencies responsible for those tasks is a necessary element to a monitoring system. The following procedure addresses the system of identifying the monitoring universe and describes the monitoring tasks. This system will be reviewed on an annual basis.

Procedures:

1. The Unit will meet bi-weekly to review the monitoring tasks to be accomplished during the year as outlined in this policy.
2. A work plan will be formalized.
3. The monitoring tasks, at a minimum, will include:

Task	Init. Date	Notes	Date
Compliance Monitoring Annual Report to OJJDP	1/1-1/15	Draft to Director of Juvenile Justice. Compliance Certification due to Executive Director by 1/15	
December data collection- Secure Juvenile Facilities (DJS) (Admissions Log) & Collocated Facilities (Juvenile Holding Log)- Initial Email Sent	1/7	Data submitted via the Compliance Monitoring Data Collection System (CMDCS) (10 Secure DJS & 2 Collocated) Due to GOCCP by 1/15	
December data review for Secure Juvenile Facilities (DJS)	1/15	Completed by CM with assistance from CM Intern	
Compliance Monitoring Annual Report to OJJDP/CERTIFICATION	1/30	Completed by CM/Director of Juvenile Justice	
January data collection Secure Juvenile Facilities (DJS) (Admissions Log) & Collocated Facilities (Juvenile Holding Log)- Initial Email Sent	2/7	Data submitted via CMDCS (10 Secure DJS & 2 Collocated) Due to GOCCP by 2/15	
January data review for Secure Juvenile Facilities (DJS) (Admissions Log) & Collocated Facilities (Juvenile Holding Log)- Initial Email Sent	2/20	Completed by CM with assistance from CM Intern	
February data collection-Secure Juvenile Facilities (DJS) (Admissions Log) & Collocated Facilities (Juvenile Holding Log)- Initial Email Sent	3/7	Data submitted via CMDCS (10 Secure DJS & 2 Collocated) Due to GOCCP by 3/15	
February data review for Secure Juvenile Facilities (DJS) (Admissions Log) & Collocated Facilities (Juvenile Holding Log)- Initial Email Sent	3/20	Completed by CM with assistance from CM Intern	
March data collection Secure Juvenile Facilities (DJS) (Admissions Log) & Collocated	4/7	Data submitted via CMDCS (10 Secure DJS & 2 Collocated) Due to GOCCP by 4/15	

Facilities (Juvenile Holding Log)- Initial Email Sent			
Oct – Mar. Data Collection for Lockups (Juvenile Holding Log)- Initial email sent	4/7	Data submitted via CMDCS (171 Lockups) Due to GOCCP 4/15	
Oct – Mar. Data Collection for Jails (Jail & Detention Center Holding Log)- Initial email sent	4/7	Data submitted via CMDCS (29 Jails) Due to GOCCP 4/15	
March data review for Secure Juvenile Facilities (DJS)	4/20	Completed by CM with assistance from CM Intern	
First follow up email to non-compliant Lockups	5/1	Completed by CM Intern	
Data review of juvenile holding logs	5/1	Completed by CM with assistance from CM Intern	
Data review of jail & detention center juvenile holding logs	5/1	Completed by CM with assistance from CM Intern	
April data collection- Secure Juvenile Facilities (DJS) (Admissions Log) & Collocated Facilities (Juvenile Holding Log)- Initial Email Sent	5/7	Data submitted via CMDCS (10 Secure DJS & 2 Collocated) Due to GOCCP by 5/15	
Final follow up letter (via email) signed by Deputy Director to all non-compliant jails & lockups	5/10	Completed by CM	
April data review for Secure Juvenile Facilities (DJS) (Admissions Log) & Collocated Facilities (Juvenile Holding Log)- Initial Email Sent	5/20	Completed by CM with assistance from CM Intern	
First round of site visit emails sent for all July site visits	6/1	Completed by CM Intern	
May data collection- Secure Juvenile Facilities (DJS) (Admission Log) & Collocated Facilities	6/7	Data submitted via CMDCS (10 Secure DJS & 2 Collocated) Due to GOCCP by 6/15	
July Site Visits	7/1	Completed by CM and CM Specialist- 7/31	
July Site Visit Summaries	Due 3 days after Site Visit (SV)	Completed by CM or CM Specialist and forwarded to JJ Specialist for Review- 8/3 7/1-7/5 7/8-7/12 7/15-7/19/22-7/26 7/29-7/31	
Site visit reminder emails sent for all August site visits	7/5	Completed by CM Intern 7/25-8/23 8/1-8/2 8/5-8/9 8/12-8/16 8/19-8/23 8/26-8/30	

June data collection- Secure Juvenile Facilities (DJS) (Admissions Log) & Collocated Facilities (Juvenile Holding Log)- Initial Email Sent	7/7	Data submitted via CMDCS (10 Secure 10 Secure DJS & 2 Collocated) Due to GOCCP by 7/15	
June data review for Secure Juvenile Facilities (DJS) (Admissions Log) & Collocated Facilities (Juvenile Holding Log)- Initial Email Sent	7/16	Completed by CM with assistance from CM Intern- 8/7	
August Site Visits	8/1	Completed by CM and CM Specialist- 8/31	
August Site Visit Summaries	Due 3 days after SV	Completed by CM or CM Specialist and forwarded to JJ Specialist for Review- 9/3 8/1-8/2 8/5-8/9 8/12-8/16 8/19-8/23 8/26-8/30	
First round of site visit emails sent for all September site visits	8/5	Completed by CM Intern	
July data collection Secure Juvenile Facilities (DJS) (Admissions Log) & Collocated Facilities (Juvenile Holding Log)- Initial Email Sent	8/7	Data submitted via CMDCS Due to GOCCP by 8/15	
First follow up email to non-compliant DJS Facilities & Collocated facilities (January – June)	8/10	Completed by CM Intern	
July data review for Secure Juvenile Facilities (DJS) (Admissions Log) & Collocated Facilities (Juvenile Holding Log)- Initial Email Sent	8/16	Completed by CM with assistance from CM Intern	
Site visit reminder emails sent for all September site visits	8/25	Completed by CM Intern	
Final follow up letter (via email) signed by Deputy Director to all non-compliant DJS & Collocated facilities (October - March)	9/1	Completed by CM	
September Site Visits	9/1	Completed by CM and CM Specialist- 9/30	
September Site Visit Summaries	Due 3 days after SV	Completed by CM or CM Specialist and forwarded to JJ Specialist for Review- 10/3	
First round of site visit emails sent for all October site visits	9/5	Completed by CM Intern	
August data collection- Secure Juvenile Facilities (DJS) (Admissions Log) & Collocated Facilities (Juvenile Holding	9/7	Data submitted via CMDCS Due to GOCCP by 9/15	

Log)- Initial Email Sent			
August data review for Secure Juvenile Facilities (DJS) (Admissions Log) & Collocated Facilities (Juvenile Holding Log)- Initial Email Sent	9/16	Completed by CM with assistance from CM Intern	
Site visit reminder emails sent for all October site visits	9/25	Completed by CM Intern	
October Site Visits	10/1	Completed by CM and CM Specialist- 10/31	
Semi-Annual Data Collection Initial Email sent for Juvenile Holding Logs, Jail & Detention Center Holding Logs	10/1	Completed by CM	
October Site Visit Summaries	Due 3 days after SV	Completed by CM or CM Specialist and forwarded to JJ Specialist for Review- 11/3	
First round of site visit emails sent for all November site visits	10/5	Completed by CM Intern	
September data collection- Secure Juvenile Facilities (DJS) (Admissions Log) & Collocated Facilities (Juvenile Holding Log)- Initial Email Sent	10/7	Data submitted via CMDCS (10 Secure DJS & 2 Collocate) Due to GOCCP by 10/15	
Request List from GOC for Complete List of Licensed Facilities	10/9	Completed by JJ Specialist 10/9	
Semi-Annual Data Collection for Juvenile Holding Logs, Jail & Detention Center Holding Logs, Previous CY Annual Surveys are Due	10/15	Completed by CM Intern and CM	
September data review for Secure Juvenile Facilities (DJS) (Admissions Log) & Collocated Facilities (Juvenile Holding Log)- Initial Email Sent	10/16	Completed by CM with assistance from CM Intern	
Site visit reminder emails sent for all November site visits	10/25	Completed by CM Intern	
November Site Visits	11/1	Completed by CM and CM Specialist- 11/30	
November Site Visit Summaries	Due 3 days after SV	Completed by CM or CM Specialist and forwarded to JJ Specialist for Review- 12/3	
First round of site visit emails sent for all December site visits	11/5	Completed by CM Intern	
October data collection- Secure Juvenile Facilities (DJS) (Admissions Log) & Collocated Facilities (Juvenile Holding Log)- Initial Email Sent	11/7	Data submitted via CMDCS Due to GOCCP by 11/15	

October data review for Secure Juvenile Facilities (DJS) (Admissions Log) & Collocated Facilities (Juvenile Holding Log)- Initial Email Sent	11/16	Completed by CM with assistance from CM Intern	
Site visit reminder emails sent for all December site visits	11/25	Completed by CM Intern	
December Site Visits	12/1	Completed by CM and CM Specialist- 12/22	
December Site Visit Summaries	Due 3 days after SV	Completed by CM or CM Specialist and forwarded to JJ Specialist for Review- 12/27	
November data collection- Secure Juvenile Facilities (DJS) (Admissions Log) & Collocated Facilities (Juvenile Holding Log)- Initial Email Sent	12/7	Data submitted via CMDCS (10 Secure DJS & 2 Collocated) Due to GOCCP by 12/15	
November data review for Secure Juvenile Facilities (DJS) (Admissions Log) & Collocated Facilities (Juvenile Holding Log)- Initial Email Sent	12/16	Completed by CM with assistance from CM Intern	
Start CM Annual Report; Draft due to JJS, Division Chief & Deputy Director	12/20	Completed by CM	

MONITORING SYSTEM

States participating in the JJDPa are required to maintain an adequate monitoring system for jails, lockups, detention facilities, correctional facilities, and non secure facilities to ensure that the core requirements are met. An effective statewide monitoring system should identify all secure and non-secure residential facilities which are potential locations for government authorized or court ordered holding, detention, or confinement of minor youth. Optimally, the system will be capable of tracking individual juveniles at each step in the process, locating and recording the number and classification of each juvenile facility, and revealing incidents of non-compliance or ambiguous circumstances which require further investigation. To this end, all applicable laws, regulations, standards, guidelines, and policies must be clearly defined in written form, and made available to all persons involved with the detention or commitment of juveniles as required by law.

The actual monitoring system is outlined on pages 18-26. This policy provides a general description of the monitoring system and specifies the availability of all laws, regulations, standards, guidelines and policies dealing with the incarceration of juveniles.

Procedures:

1. The Compliance Monitor will maintain this policy and procedure manual, that, at a minimum, will contain:
 - a. The JJDPa;
 - b. Related policies and procedures;
 - c. Appropriate sections of the Maryland Annotated Code (Courts & Judicial Proceedings Article, Title 3 Chapter 8A, & COMAR Title 16); and,
 - d. Governor's Executive Order 01.01.2014.15.

2. The Compliance Monitor will make certain this policy & procedures manual is updated annually.

COMPLIANCE ISSUES

This policy is based solely upon the JJDPA and Formula Grant Consolidated Regulations. What follows are the rules and regulations under each of the three core protections. Other requirements on funding allocations and rules, and organizational regulations, may be obtained from GOCCP.

The following are the three (3) sections of the JJDPA requiring a report:

1. 42 U.S.C. §5633 (a)(11) Deinstitutionalization of Status Offenders (DSO)

No status offender or non-offender should be held in a secure facility. Congress recognizes that there are exceptions.

A. Status offenders may be held in a secure juvenile detention center for up to 24 hours for processing, which includes: identification, release to parent, awaiting transfer to a more appropriate juvenile facility or immediately following an initial court appearance. The 24-hour period excludes weekends and legal holidays. The weekend begins at the close of court on Friday and ends with the opening of court on the next business day.

B. Juveniles who have committed a violation of the Youth Handgun Safety Act or are held in accordance with the Interstate Compact on Juveniles as enacted by the State are excluded from the DSO requirement completely.

C. Maryland Courts and Judicial Proceedings regarding Status Offenders:
Under Maryland's Annotated Code, Article – Courts and Judicial Proceedings § 3-8A-01 (e) (1) (2) (3) (4) and § 3-8A-15 (h) (1) a child alleged to be in need of supervision may not be placed in:

- i. Detention or community detention;
- ii. A State mental health facility; or
- iii. A shelter care facility that is not operating in compliance with applicable State licensing laws.

For the purpose of compliance monitoring reporting to OJJDP, the exception outlined under Section 1(A) of this policy will be followed.

2. 42 U.S.C. §5633: (a)(12) - Sight and Sound Separation (Separation)

The term “contact” is defined to include any physical or sustained sight and sound contact between juvenile offenders in a secure custody status and adult offenders, including inmate trustees. Sight contact is further defined to include clear visual contact with adult offenders within close proximity. Sound contact is further defined as direct oral communication between adult offenders and juvenile offenders. Secure custody status occurs when a juvenile offender is detained or confined in a locked room or area, placed in a cell, or secured to a stationary object. Separation must be accomplished architecturally or through policies and procedures in all secure areas of a facility.

Maryland Courts and Judicial Proceedings regarding Sight and Sound Separation:
Under Maryland's Annotated Code, Article – Limitations on place of commitment § 3-8A-22 (c) (1) (2) Child must be accommodated separately from adults. –Unless an individualized treatment plan developed under § 10-706 of the Health – General Article indicates otherwise:

- (1) A child may not be committed or transferred to any public or private facility or institution unless the child is placed in accommodations that are separate from other persons 18 years of age or older who are confined to that facility or institution; and
- (2) The child may not be treated in any group with persons who are 18 years of age or older

3. 42 U.S.C. §5633 (a)(13) – Jail Removal:

Under this section, no juvenile shall be detained or confined in any jail or lockup for adults. There are three exceptions, all of which Maryland uses:

- A. Six-Hour Hold Exception: OJJDP regulations allow for a 6-hour “grace period” that permits the secure detention in an adult jail or lockup of those juveniles accused of committing offenses that would be criminal if committed by an adult. The 6 hours can be used for the purpose of processing, release, or transfer to a juvenile facility. In addition, an accused or adjudicated delinquent could be detained for up to 6 hours before a court appearance and up to an additional 6 hours after a court appearance. Sight and sound separation must be maintained while juveniles are in a secure custody status.
- B. Removal (Rural) Exception: OJJDP regulations implement a statutory “rural” exception, allowing the temporary detention beyond the 6-hour limit of juveniles accused of delinquent offenses who are awaiting an initial court appearance within 48 hours (excluding weekends and legal holidays) assuming all required conditions are met.
- C. Transfer or Waiver Exception: The jail and lockup removal requirement does not apply to those juveniles formally waived or transferred to criminal court and against whom criminal felony charges have been filed or to juveniles over whom a criminal court has original or concurrent jurisdiction and such court’s jurisdiction has been invoked through the filing of criminal felony charges.
- D. Maryland Courts and Judicial Proceedings regarding Jail Removal:
Under Maryland’s Annotated Code, Article – Courts and Judicial Proceedings § 3-8A-15 (g) Placement of child alleged to be delinquent. A child alleged to be delinquent may not be detained in a jail or other facility for the detention of adults.

COMPLIANCE MONITORING BARRIERS AND STRATEGIES

A description of the barriers faced in implementing a monitoring system as well as the State and local strategies and plans to overcome those barriers is necessary to maintain the integrity of the monitoring plan and system.

Barriers:

1. Salient consequences that directly affect facilities who are not compliant with data collection efforts and/or facilities who have repeated violations of the core protections;
2. A state law which allows juvenile offenders to be waived or transferred to criminal court on misdemeanor charges and held in adult detention facilities (conflicts with JJDPa);

Procedures:

1. The Juvenile Grant Planning and Review Council (Juvenile Council) is the identified State Advisory Group (SAG) in Maryland per Section 42 U.S.C 5633 of the JJDPa, as amended. The Juvenile Council has the authority to participate in the development of the State's Juvenile Justice Plan.
2. By January 31st of each calendar year, the Compliance Monitor will submit the State's Annual Compliance Monitoring Report to the Office of Juvenile Justice and Delinquency Prevention (OJJDP). An oral report will be presented to the State Advisory Group (SAG) at the next subsequent meeting on the following items:
 - A. Barriers faced in implementing and maintaining a monitoring system.
 - B. Recommendations for plans to overcome those barriers.
 - C. Annual report on the number of core protection violations.
3. The Compliance Monitor will provide updates to the SAG at every meeting. The SAG meets bi-monthly.
4. Plans to overcome compliance monitoring barriers may include, but are not limited to, the following activities:
 - A. Regional training workshops for those agencies involved in monitoring or implementation of the JJDPa.
 - B. Administrative meetings with those agencies involved in monitoring or implementation of the JJDPa. Such agencies may include, but are not limited to, the Department of Juvenile Services (DJS), the Department of Public Safety and Correctional Services (DPSCS) and the Department of Human Resources (DHR).
 - C. Pursuit of State legislation to overcome barriers to monitoring.

VIOLATION PROCEDURES

Once a monitoring system has been established to monitor secure and non-secure facilities to ensure compliance with the requirements of the JJDP Act and Formula Grants Consolidated Regulations, it is critical to then outline the administrative procedures that will be issued by GOCCP to receive, investigate and respond to reports of compliance violations.

The Governor's Executive Order, 01.01.2014.15, gives GOCCP oversight authority and responsibility for receiving, investigating and responding to reports of compliance violations.

Procedures:

1. The Compliance Monitor will perform statewide monitoring and serve as the State's primary agents to investigate and report compliance violations; a detailed description of the process and tasks is contained on pages 16-25 of this manual.
2. The process used to receive, investigate and respond to compliance violations is outlined in the Compliance Monitoring Risk Assessment Tool & Guidelines (Appendix H):
 - A. The Compliance Monitor will fully investigate the violation following OJJDP Rules and Regulations.
 - i. A facility is defined as any building or set of buildings that have the potential, to securely or non-securely hold or detain a juvenile, regardless of the purpose.
 1. For example: a local county or municipality police department, a police department located within a larger facility, such as an airport (in this instance, only the area that the police department occupies would be considered the facility, not the entire airport), multiple group home cottages/residence halls located on the same grounds, and the holding area(s) with in a court house.
 - B. The Compliance Monitor will provide intensive follow-up on-site visits to determine if compliance is still an issue based upon the facility's risk level as defined in the Compliance Monitoring Risk Assessment Tool (Appendix C).
 - C. The Compliance Monitor will secure files for a minimum of three (3) years. The Compliance Monitor will provide technical assistance to those facilities not in compliance with data collection and/or these three core protections based upon the guidelines set forth in the Risk Assessment Tool (Appendix C). The core protections are defined in, pages 12-13:
 - D. The Compliance Monitor will bring all technical assistance issues to the prompt attention of the Director of Juvenile Justice and the Eastern Division Chief if necessary. The Director of Juvenile Justice will bring these issues to the attention of the State Advisory Group, as necessary.
3. GOCCP may require additional measures to be taken based upon the guidelines set forth in the Risk Assessment Tool. A violation is defined as:
 - A. Violations of the DSO, Separation, or Jail Removal core protections of the JJDP Act

- B. Failure to cooperate with compliance monitoring activities (to include but not limited to site visits, data collection & technical assistance requests)
4. Sanctions by the State may include, but are not limited to:
- A. Reduction or loss of Title II Formula Grant funds awarded directly or indirectly to the facility
 - B. Temporary delay, reduction or loss of OJP funds that are administered by GOCCP
5. The Eastern Division Chief, Juvenile Council, Director of Juvenile Justice and any other affected authority will be immediately notified of violations(s) that threaten funding allocations.

COMPATIBILITY OF FEDERAL AND STATE DEFINITIONS

In identifying the monitoring universe and classifying facilities, Maryland must operate under definitions that are compatible with those found in the U.S Department of Justice (DOJ), Office of Justice Programs (OJP), Office of Juvenile Justice and Delinquency Prevention (OJJDP) Formula Grants Consolidated Regulation (28 CFR Part 31).

GOCCP will adopt and follow OJJDP's regulations and definitions for monitoring found in the JJDP Act, as amended (42 U.S.C .5603) <http://ojjdp.gov/compliance/jjaact.pdf> and the Guidance Manual for Monitoring Facilities under the JJDP Act of 1974 <http://ojjdp.gov/compliance/guidancemanual2010.pdf>.

IDENTIFICATION OF THE MONITORING UNIVERSE

OJJDP requires States participating in the to establish and maintain an adequate monitoring plan and system for purposes of compliance and for OJJDP audits. This policy relates to the annual identification of the monitoring universe.

The Compliance Monitor will update the compliance monitoring universe for the purpose of inclusion or exclusion pursuant to OJJDP rules and regulations as new facilities are discovered and existing facilities are determined to no longer require active monitoring on an ongoing basis throughout the calendar year. As defined in the Federal Register, May 31, 1995, page 28445, the identification of the monitoring universe refers to: “The identification of all residential facilities, such as jails, lockups, detention centers, juvenile correctional facilities, halfway houses, group homes, which might hold juveniles pursuant to public authority and thus must be classified to determine if it should be included in the monitoring effort. This includes those facilities owned or operated by public or private agencies.¹” Depending on the scope of the jurisdiction and authority of the juvenile court, the list may need to include public or private mental health facilities, chemical dependency programs, and detoxification centers.

Procedures:

1. Information from the following agencies will be obtained as needed throughout the calendar year:
 - a. Department of Health & Mental Hygiene (DHMH)
 - b. Department of Juvenile Services (DJS)
 - c. Department of Public Safety & Correctional Services (DPSCS)
 - d. Maryland Sheriff’s Association
 - e. Maryland Chiefs of Police Association
 - f. Department of Human Resources (DHR)
 - g. All other known agencies or facilities (such as military bases, malls and airports)
2. The request from the above agencies and associations will be for an updated list of current facilities, planned facilities, and contracts with private facilities.
3. All facility information gathered will be updated in the Compliance Monitoring Universe Database as it is obtained.

¹ <http://www.gpo.gov/fdsys/pkg/FR-1995-05-31/pdf/95-13046.pdf>

CLASSIFICATION OF THE MONITORING UNIVERSE

OJJDP requires that States participating in the JJDP Act establish and maintain an adequate monitoring system and plan for purposes of compliance and for compliance audits. The Compliance Monitor will annually classify all facilities listed in the Compliance Monitoring Data Collection System. This requires classification of all facilities to determine which ones should be considered a secure detention or correctional facility, an adult correctional facility, an adult correctional institution, a jail, a lockup, or other type of secure or non-secure facility per 28 CFR 31.303 (f)(1)(i)(B). Generally, all jails, lockups, juvenile detention centers, training schools and other public and private facilities should be subject to classification

Facilities will be classified according to the following criteria:

1. Public or private
2. Juvenile facility, adult facility or combined use
3. Secure or non-secure
4. Residential or non-residential

For classification purposes, the following definitions will be used (Appendix B):

1. Secure
 - a. As used to define a detention or correctional facility, to include residential facilities, which include related construction features designed to physically restrict the movements and activities of persons in custody, such as locked rooms and buildings, fences, or other physical structures. It does not include facilities where physical restriction of movement or activity is provided solely through facility staff.
2. Facility
 - a. A place, an institution, a building or part thereof, a set of buildings or an area (whether or not enclosing a building) or a set of buildings which is used for the lawful custody and treatment of juveniles and may be owned or operated by public and private agencies.
3. Adult jail
 - a. A locked facility, administered by State, county or local law enforcement and correctional agencies, the purpose of which is to detain adults charged with violating criminal law, pending trial. Also considered as adult jails are those facilities used to hold convicted adult criminal offenders sentenced for less than one year.
4. Adult lockup
 - a. Similar to an adult jail except that an adult lockup is generally a municipal or police facility of temporary nature which does not hold persons after they have been formally charged.
5. Private agency
 - a. A non-governmental agency, for profit agency, organization, or institution.

6. Collocated facility
 - a. Facilities that are located in the same building, or are part of a related complex of buildings located on the same grounds.

Procedures:

1. All State operated adult correctional facilities and halfway houses will be classified as secure adult facilities and will not be subject to data collection, but will be required to complete the State's Jail & Prison Survey (Appendix H) on an annual basis by October 15 for the previous CY.
2. All county jails, lockups, juvenile detention facilities and private facilities in the State that accept referrals or admissions from the Department of Juvenile Services or the courts, will be classified by the Compliance Monitor as secure facilities that may be used for the holding and/or detention of juveniles and/or adults.
3. All facilities not classified under #2 will be classified as follows:
 - a. All facilities, public and private, that are operated for residential purposes and have a State agency with licensing authority. The State agencies with licensing authority are:
 - i. Department of Juvenile Services (DJS)
 - ii. Department of Public Safety & Correctional Services (DPSCS)
 - iii. Department of Health & Mental Hygiene (DHMH)
 - iv. Department of Human Resources (DHR)
 - b. All facilities that the departments operate directly, provide funding to, use as a placement, license, and/or monitor will be classified by the Compliance Monitor.

INSPECTION OF FACILITIES

Inspection of facilities is necessary to ensure an accurate assessment of each facility’s classification, to verify the adequacy of sight and sound separation where both juvenile and adults inmates are present, and to ensure appropriate record keeping. The inspection process shall include a method of reporting compliance with the separation requirements for each secure facility that holds both juvenile and adult offenders. Reports on each facility’s compliance status will be made available to the facility and its licensing authority following the site visit. GOCCP will maintain a file for each facility containing:

1. Site visit summary report
2. Data collection log or survey and list of violations
3. Correspondence between GOCCP/Facility (internal/external notes/corrective action)

The Compliance Monitor and/or Statewide Disproportionate Minority Contact Coordinator will inspect facilities for the following:

1. A review of the facility’s policy and procedures that enforce the core protections of the JJDPA and the physical accommodations to determine if they are a residential/non residential facility.
2. A determination of whether the facility is maintaining sight and sound separation between juveniles and adults.
3. A review of the facility’s data collection system to determine whether sufficient data is maintained to comply with 42 U.S.C 5633 (11), (12), (13), (14) and (22) of the JJDPA.

The following guidelines will be used in determining which facilities will receive an on-site inspection:

Facility Type	Site Visit Every 3 years	Site Visit as needed	Site Visit Annually	Data Collected Monthly	Surveyed Annually	Data Collected Semi-Annually
Lockups	X					X
Jails	X				X	X
Secure Juvenile – DJS	X			X		
Secure Juvenile – not DJS	X				X	
Court Holding	X				X	
Prisons	X				X	
Collocated			X			
Non-Secure		X				

1. Site visits for non-secure facilities will be determined by information obtained via the Non-Secure Juvenile Survey and Non-Secure Adult Survey.
2. All facilities, secure and non-secure, will be subject to unannounced site inspections by the Compliance Monitor and/or Statewide Disproportionate Minority Contact Coordinator in the event that a complaint regarding a core protection violation is received.

3. The Compliance Monitor and/or Statewide Disproportionate Minority Contact Coordinator will document site visit dates and results.
4. Inspections will be scheduled to accommodate the Compliance Monitor and/or Statewide Disproportionate Minority Contact Coordinator, the facility administrator and the facility contact. Please refer to Appendix L for a complete list of the active facilities in the monitoring universe broken down by facility classification as of January 1, 2013.

Procedures:

1. A thorough review of all secure facilities' data collection systems will be conducted to ensure each keeps data consistent with the OJJDP rules and regulations and, at a minimum, include for each juvenile:
 - a. Name or ID number
 - b. Date of birth/sex/race/ethnicity
 - c. Most serious offense
 - d. Court of jurisdiction
 - e. Date and time of admission
 - f. Time placed into secure detention
 - g. Time released from secure detention
 - h. Date and time of release
 - i. Name and relationship of person to who juvenile was released.
2. Site Visits will consist of the following:
 - a. A tour of the facility
 - i. To include secure and non-secure areas where a juvenile or adult offender may be held or detained.
 - ii. Purpose of the tour will be to verify compliance with the Separation core protection.
 - b. Review of the previous 6 months of data, including:
 - i. Juvenile arrest, detention, holding, or prisoner records/logs.
 - ii. Purpose is to verify compliance with the DSO and Jail Removal core protections.
 - iii. Adult arrest, detention, holding, or prisoner records/logs will be cross referenced with juvenile arrest, detention, holding, or prisoner records/logs to verify compliance with the Separation core protection.
 - c. Collection of any new or updated information, including:
 - i. General Orders
 - ii. Memorandums
 - iii. Juvenile Arrest and/or Detention Policies
 - iv. Juvenile Arrest and/or Detention Procedures
 - v. Blank arrest, detention, holding, or prisoner records/logs
 - vi. Floor plan
3. After all inspections, the Compliance Site Visit Report will be completed and retained by GOCCP. The following information will be included in the Site Visit Report:
 - a. Cover letter
 - b. Summary of visit
 - c. Follow up activities with due dates
 - d. Violations

4. The Compliance Monitoring Data Collection System will be maintained by the Juvenile Justice Compliance Monitor.

DATA COLLECTION AND VERIFICATION

It is necessary to check each facility's admission and release records to determine compliance with 42 U.S.C. 5633 (11), (12), & (13) of the JJDP Act.

The Compliance Monitor will be responsible for verifying the accurate collection of data for all secure and non-secure facilities. Data collection will occur in October and April of each monitoring period. The following data shall be obtained:

1. Juvenile Detention Centers (Secure DJS facilities) shall submit a monthly admissions log via the Compliance Monitoring Data Collection System (CMDACS) by the 15th of each month.
2. Secure Juvenile Facilities (not owned/operated by DJS) shall submit a Secure Juvenile Facility Survey via the CMDACS on an annual basis by October 15th.
3. Secure Adult Lockups shall submit data using the Juvenile Holding Log via the CMDACS on a bi-annual basis by October 15th & April 15th of each calendar year. Each submission will include data on all juveniles held (secure and non-secure) or detained under law enforcement custody within a Police Department, District, Detachment, Precinct, Substation, or Sheriff's Office.
4. Court Holding Facilities shall submit a Court Holding Survey via the CMDACS on an annual basis by October 15th.
5. Non-secure facilities shall submit a Non-Secure Juvenile or Non-Secure Adult Survey via the CMDACS on an annual basis by October 15th.
6. Prisons, Adult Jails and Detention Centers shall submit a Jail & Prison Survey via the CMDACS on an annual basis by October 15th.
7. Adult Jails and Detention Centers shall submit data using the Jail & Detention Center Holding Log via the CMDACS by April 15th. & October 15th of each calendar year.

Statutory Exceptions:

Juveniles held pursuant to the Interstate Compact on Juveniles are excluded from the DSO core protection requirement per 42 U.S.C. 5633.

The six-hour hold exception allows for a 6-hour "grace period" that permits the secure detention in an adult jail or lockup of those juveniles accused of committing offenses that would be a criminal offense if committed by an adult. Sight and sound separation still applies per 42 U.S.C. 5633.

MONITORING REPORT PERIOD

The reporting period required by OJJDP is from October 1 through September 30th of each year.

Procedures:

All data collected for the OJJDP Monitoring Report will reflect that it has been collected from October 1st through September 30th of each year and will be reported to OJJDP on January 31st of the current calendar year.

METHOD OF REPORTING

The data and information collected in the monitoring policy shall be analyzed, reviewed, and documented in the annual Monitoring Report, which shall be submitted to OJJDP by January 31st of the year following the reporting period.

It is the Compliance Monitor's responsibilities to collect, verify, and compile the data for the State each year. The GOCCP Executive Director, or their designee, retains the primary responsibility for the final certification of the report.

Procedures:

1. On or before January 1 of each year following the reporting period, the Compliance Monitor shall have collected and verified data on all juveniles held in secure facilities.
2. Compliance violations shall be verified for all data received by January 1 and will be recorded in the compliance monitoring universe.
3. After all data has been collected and verified, the Compliance Monitor shall extract the data that relates to the annual Monitoring Report and complete all sections of the report by January 1.
4. The Compliance Monitor shall provide the Director of Juvenile Justice, Eastern Division Chief, and Deputy Director with a summary of violations as requested by January 1.
5. On or before January 15th of each year following the reporting period, the Compliance Monitor will submit a draft copy of the Monitoring Report to the Director of Juvenile Justice, Eastern Division Chief, and Deputy Director.
6. All changes, corrections, and edits to the Monitoring Report will be returned to the Compliance Monitor before January 20th of each year.
7. On or before January 31st of each year following the reporting period, the Compliance Monitor will submit the final Compliance Monitoring Report to the OJJDP Administrator.
8. The Compliance Monitor will make available to the State Advisory Group copies of the final report.

POLICY REVIEW DATES

All policies are to be reviewed by the GOCCP by April 1st each year.

COMPLIANCE MONITORING DATA COLLECTION SYSTEM (CMDCS)

The CMDCS is an all encompassing compliance monitoring web-based system that contains the monitoring universe, is used to track correspondence, site visits and violations and to collect data. The following is an overview of how the CMDCS works:

The CMDCS is accessed via: <https://goccp.maryland.gov/restricted/CMDCS-login.php>

Navigating to the above link will bring you to the main user login page. On this page, you will need to enter a Username and Password for access to the CMDCS. A contact must be added to the database and permissions added before the user will have access. Once permissions are added, the user will set up a unique password. The user must then enter their Username, Password, and agree to the terms and conditions before access will be granted to enter the database.

The screenshot shows a web browser window with the URL <https://goccp.maryland.gov/restricted/CMDCS-login.php>. The page header features the Maryland state logo and the text "GOVERNOR'S OFFICE OF CRIME CONTROL & PREVENTION". A search bar and links for "Email Friend" and "Print page" are also visible. The main content area is titled "CMDCS Login" and contains a "User Login" form. The form has two input fields: "E-Mail Address" and "Password". Below these fields is a "Terms and Conditions" section with a checkbox labeled "I Agree to the Terms and Conditions". A "Sign In" button is located at the bottom of the form, along with a "Forgot Your Password?" link. The footer of the page includes links for "Accessibility", "Privacy Policy", "Disclaimer", "Webmaster", "Contact Us", "Forums", and "Staff Use Only", as well as the address "300 E. Joppa Road, Suite 1105 Baltimore, MD 21286-3012" and the phone number "410-821-2828".

Admin Dashboard:

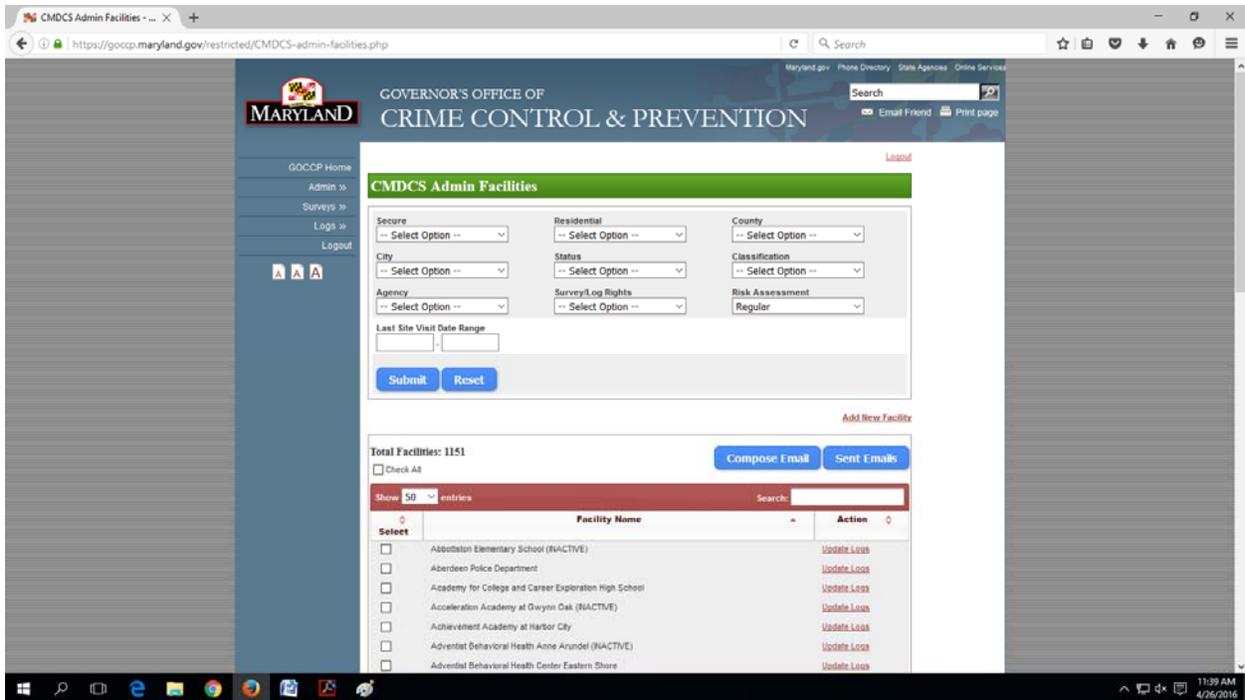
After gaining access you will be directed to a link located at the top of the page under the Facility Dashboard header. From here, you will have the option to choose one of the following five (5) tabs:

- Facilities
- Contacts
- Logs & Surveys
- Reports
- What's New

The screenshot shows the GOCCP Admin Dashboard. The header includes the Maryland logo and the text "GOVERNOR'S OFFICE OF CRIME CONTROL & PREVENTION". A search bar is located in the top right. The left sidebar contains navigation links: "GOCCP Home", "Admin", "Surveys", "Logs", and "Logout". The main content area is divided into sections: "Admin Dashboard" with links for "Facilities", "Contacts", "Logs & Surveys", "Reports", and "What's New"; "Facilities Dashboard"; "Surveys" with links for "Court Holding Survey", "Jail/Prison Survey", "Non-Secure Adult Survey", "Non-Secure Juvenile Survey", and "Secure Juvenile Facilities Survey"; "Logs" with links for "Admissions Log", "Jail & Detention Center Holding Log", and "Juvenile Holding Log"; and "What's New" with a date "Tuesday, April 12, 2016" and a reminder about admission logs due by April 15, 2016. A second date "Thursday, March 10, 2016" is also listed with a reminder about annual surveys for 2015.

Facilities Tab:

- You may filter a search using any of the ten (10) criteria from the drop down menu:
 - Secure
 - Residential
 - County
 - City
 - Status
 - Classification
 - Agency
 - Survey/Log Rights
 - Risk Assessment
 - Last Site Visit Date Range

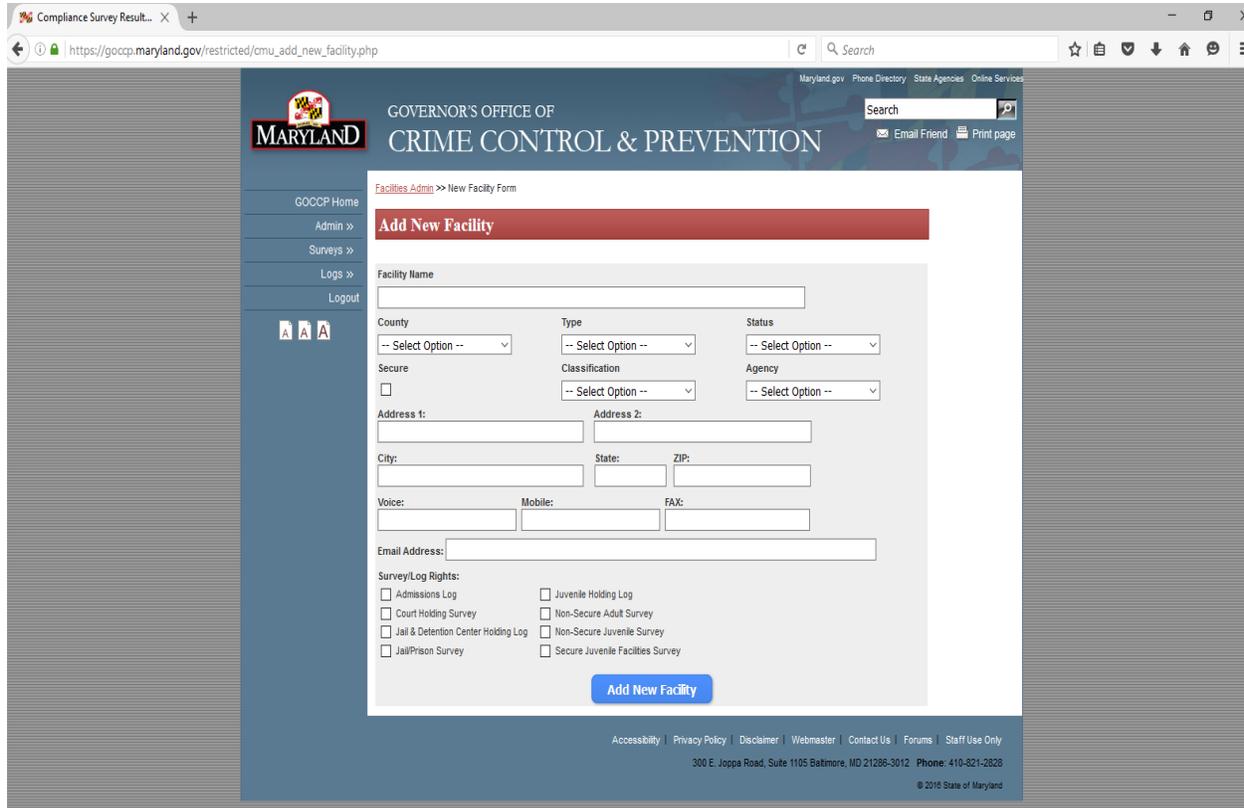


- You may choose one or more criteria from the drop down options to filter your search.
 - To reset the search criteria click the “Reset” button located under the “Last Site Visit Date Range”
 - To search for a specific facility when you know the name or part of the name enter your search information in the search field located in the Facility Dashboard
 - Once you have completed your search using one of the above methods you can sort the list of facilities alphabetically by clicking on the Facility Name column
 - Once sorted you can email the facility individually or multiple facilities based on the criteria selected by clicking the “Compose Email” button.

The “Sent Email” button directs you to a history of all emails sent the facilities organized by date and selecting a facility will direct you to the Facility Information Page

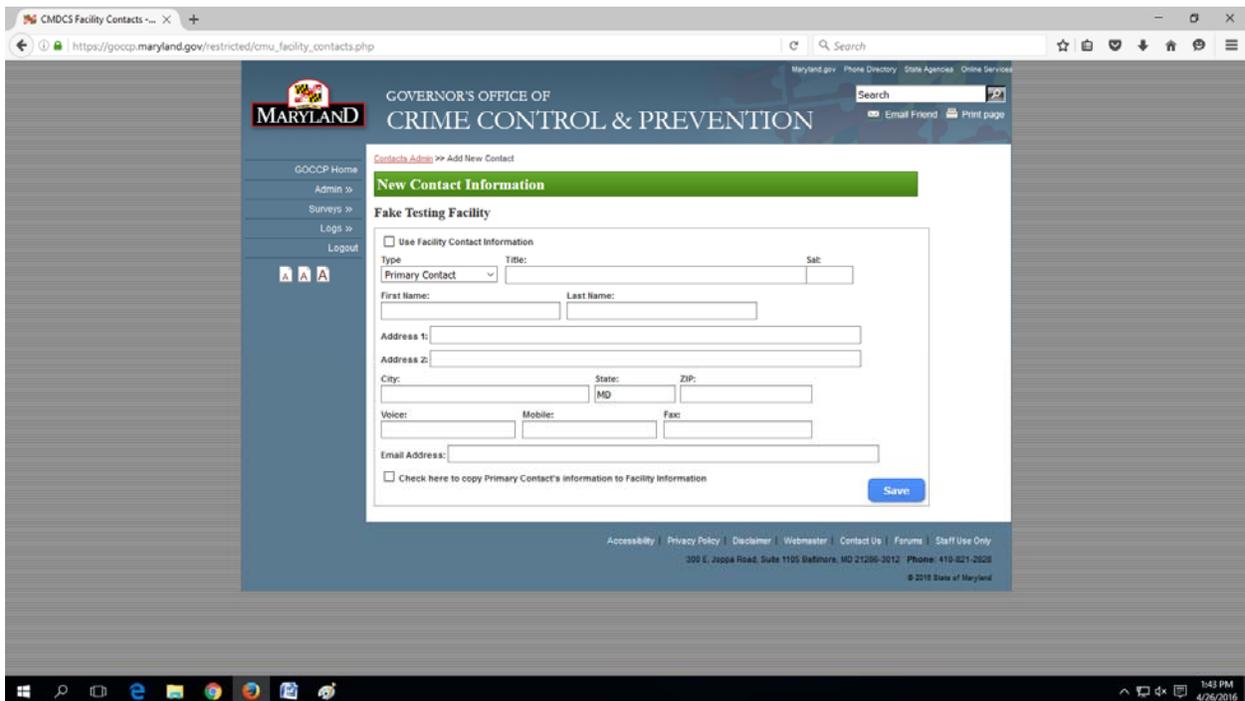
- Facility Information Page:
 - The Facility Information Page includes the following:
 - Facility’s name
 - County
 - Facility type
 - Facility classification
 - Secure status
 - Residential Status
 - Agency (if applicable)
 - Address
 - Primary contact numbers
 - Email Address
- Editing Facility Information:
 - Click the “Edit” button.
 - Update/change applicable information.
 - Click the “Update” button when done.

- Adding a New Facility:
 - Click the “Add New Facility” link
 - Enter Facility name, address, contact numbers and email
 - Choose County, Facility Type, Facility Classification, Residential Status, Risk Assessment Status, and Agency from the drop downs
 - Check the “Secure” Box if facility is secure then click save and you will be redirected back to the facility dashboard
 - You can then assign which rights/logs/surveys the facility will have when logging into the system.



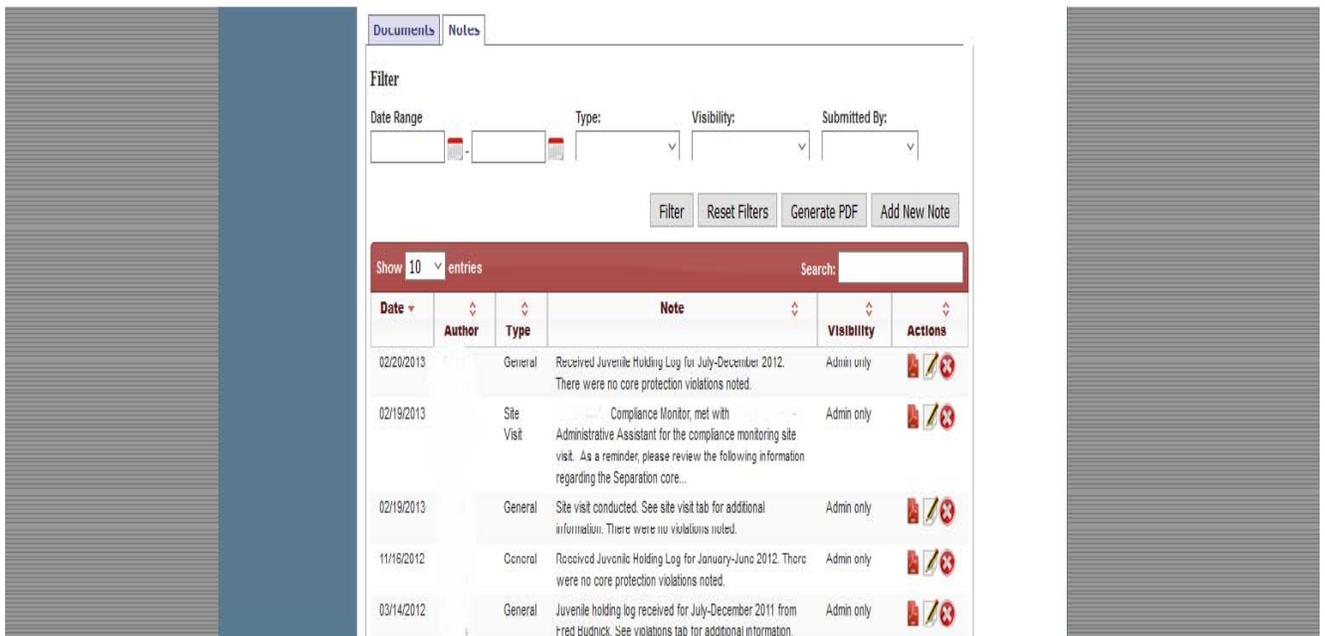
- Contact information is located below the Facility Information in the Contacts section in the following order:
 - Primary contact
 - Secondary contact
 - Alternate contact(s)
- To add a contact:
 - Click the “Add” button
 - If the contact already exists in the CMDCS:
 - You will be able search by scrolling through the list of contacts in the database or you can begin typing in the name and it will auto populate a list of associated names.
 - If the new contact was already in the system and the user tries to add them again they will receive a message letting them know that a contact with that name already exists in the system.

- If no edits are necessary, scroll below contact information
- Identify contact as Primary, Secondary or Alternate by choosing from the Link contact as drop down
- Click “Link Contact” to connect the contact to the facility and will be returned to the facility information page
- If the contact was not in the CMDCS:
 - Add a new contact by clicking the red “Add New Contact” link found under the facility name on this page.
 - A new screen will appear
 - Add relevant contact information for the person you are adding.
 - If the contact information is the same as the facility information, check the “Check here to copy Primary Contact’s Information to Facility Information” box.
 - ✓ Checking this box allows the contacts information (address, numbers, and email address) to be copied under the Facility Information.



- To un-associate a contact from a facility, click the X button next to the name associated with the facility. This will delete the contact from the database.
- While in the Facility Information you can navigate to any facility in the monitoring universe by using the Facility Name drop down
 - Facilities can be located by scrolling through the list; or
 - By clicking the drop down and typing the first couple (or more) of the letters of the facility name you are looking for
 -
 - Once you find the facility you are looking for (highlighted in the Facility Name drop down) hit “Enter.” Automatic updates can be applied for the following: Contact name

- Facility address
 - Telephone numbers
 - Email address
 - Uploading Documents Tab- allows for internal documents to be uploaded to the CMDCS such as; onsite visit report, arrest logs, policy and procedures, floor plans, and any other pertinent facility information. Documents can be viewed internally or externally based on permission set by admin.
- **Compose an Email:**
 - Check the button(s) under the Select column.
 - Click the “Compose Email” button
 - To see sent emails click on the button under the Select column
- **Notes Tab:**
 - The notes tab is the second tab to the right of the documents tab under the contacts box.
 - From here you can filter/sort by selecting:
 - ✓ General
 - ✓ Date of Entry
 - ✓ Site Visit
 - ✓ Violation
 - ✓ Risk Assessment
 - ✓ DMC
 - To add a new Note click “Add New” button
 - Select the Type: General, Site Visit, Violation, Risk Assessment or DMC
 - Choose visibility-Admin Only or Admin and Facility
 - Enter the note
 - Click “Save”



- **Logs & Surveys Tab:**
 - Jail/Prison Survey
 - Choose reporting period from the “View Results” drop down menu
 - Reporting period is listed by calendar year
 - Once your reporting period has been chosen, a list of all facilities that have reported will be listed.
 - Check one or more boxes to the left of the facility name:
 - ✓ View Selected Logs (upper right hand side of page); or Surveys can be printed from this screen
 - ✓ Surveys can be sorted by County using “Sort by County” link (in red) at the top
 - Court Holding Survey
 - Choose reporting period from the “View Results” drop down menu
 - Reporting period is listed by calendar year
 - Once your reporting period has been chosen, a list of all facilities that have reported will be listed.
 - Check one or more boxes to the left of the facility name or select “All Log Results”:
 - ✓ View Selected Logs (upper right hand side of page); or Surveys can be printed from this screen Surveys can be sorted by County using “Sort by County” link (in red) at the top
 - Non-Secure Adult Survey
 - Choose reporting period from the “View Results” drop down menu
 - Reporting period is listed by calendar year
 - Once your reporting period has been chosen, a list of all facilities that have reported will be listed
 - Check one or more boxes to the left of the facility name or select “All Log Results”:
 - ✓ View Selected Logs (upper right hand side of page); or
 - ✓ Surveys can be printed from this screen
 - ✓ Surveys can be sorted by County using the “Sort by County” link (in red) at the top
 - Non-Secure Juvenile Survey
 - Choose reporting period from the “View Results” by drop down menu
 - Reporting period is listed by calendar year
 - Check one or more boxes to the left of the facility name or select “All Log Results”:
 - View Selected Logs (upper right hand side of page); or
 - ✓ Surveys can be printed from this screen
 - ✓ Surveys can be printed from this screen
 - ✓ Surveys can be sorted by County using the “Sort by County” link (in red) at the top
 - Once done viewing, printing, or deleting, click the “Return to Log List” link (in red) at top of page.
 - Secure Juvenile Facilities Survey
 - Choose reporting period from the “View Results” by drop down
 - Reporting period is listed by calendar year
 - Check one or more boxes to the left of the facility name or select “All Log Results”:
 - View Selected Logs (upper right hand side of page); or
 - ✓ Surveys can be printed from this screen

- County
 - Sex
 - Race and Ethnicity
 - Violation (DSO, Jail Removal, Separation
 - Common Reports (Handgun Violation, Interstate Compact, Minor in Possession, and Federal Wards.
- What New Section
 - This section provides the facilities with updates on; enhancements, training and technical assistance and other pertinent information related to the facilities.

APPENDIX

A. The Governor’s Executive Order, 01.01.2014.15	(page 35)
B. Formula Grant Regulation Definitions	(page 38)
C. Compliance Monitoring Risk Assessment	(page 41)
D. Juvenile Holding Log	(page 46)
E. Jail & Detention Center Juvenile Holding Log	(page 47)
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G. Court Holding Survey	(page 49)
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I. Non-Secure Facility Survey Adult	(page 51)
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K. Secure Juvenile Facilities Survey	(page 53)
L. Maryland Courts & and Judicial Proceedings-Ann. Code	(page 54)
M. Juvenile Justice and Delinquency Prevention Act of 1974	(page 55)
N. Compliance Monitoring Universe (active facilities)	(page 56)

APPENDIX A

**EXECUTIVE ORDER
01.01.2014.15**

Juvenile Grant Planning and Review Council
(Rescinds Executive 01.01.2010.06)

- WHEREAS, The federal Juvenile Justice and Delinquency Prevention Act of 2002 (the Act) sets forth federal requirements for states to qualify to receive formula grants under the Act;
- WHEREAS, One such requirement is that a state create a State Advisory Group responsible for carrying out the requirements of the Act as they pertain to a state's responsibilities;
- WHEREAS, The Act requires the State Advisory Group to develop and submit a three-year State plan, with annual updates, advise the State agency administering the plan and grant funds, and review and comment on all juvenile justice and delinquency prevention grant applications for federal funds that are submitted to the designated State agency;
- WHEREAS, In Maryland, the Governor's Office of Crime Control and Prevention is the State agency responsible for supervising the preparation and administration of the three-year State plan, annual updates to the plan, and awarded funds; and
- WHEREAS, The Act also requires compliance monitoring of a State's juvenile centers and any holding areas that fall within the parameters of the monitoring guidelines of the federal Office of Juvenile Justice and Delinquency Prevention.

NOW THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY RESCIND EXECUTIVE ORDERS 01.01.2010.06, AND PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. Established. There is a Juvenile Grant Planning and Review Council (the Council), which will serve as the State Advisory Group for purposes of the federal Juvenile Justice and Delinquency Prevention Act of 2005 (the Act). The Council shall be within the Governor's Office of Crime Control and Prevention (GOCCP), the State administering agency for funds received under the Act and the agency responsible for supervising the preparation and administration of the three-year State plan, annual updates to the plan, and awarded funds.

B. Membership and Procedures.

(1) The Council shall consist of not less than 15 members and not more than 33 members appointed by the Governor, consistent with the requirements of the Act.

(2) At least one fifth of the members must be under the age of 24 at the time of appointment, and at least three members must have been or currently be under the jurisdiction of the juvenile justice system, consistent with the requirements of the Act.

(3) The Executive Director of GOCCP will serve as the Governor's designee on the Council and shall designate a member of the Council to serve as Chair.

(4) Members may serve up to two consecutive three-year terms, which shall be staggered on initial appointment. A member selected to fill a vacancy serves only for the balance of a term remaining at the time of appointment. Terms end on June 30 of each year, and at the end of a term, a member continues to serve until a successor is appointed.

(5) Unless otherwise provided by law, the members of the Council shall serve at the pleasure of the Governor.

(6) A majority of the Council shall constitute a quorum for the transaction of any business. The Council may adopt such other procedures, including the creation of subcommittees and workgroups, as may be necessary to ensure the orderly transaction of business.

(7) Adult members of the Council may not receive any compensation for their services, but may be reimbursed for reasonable expenses incurred in the performance of duties, in accordance with the Standard State Travel Regulations, as provided in the State budget and as provided in the Council's allocation from the federal Office of Juvenile Justice and Delinquency Prevention.

(8) Appointed youth members may receive stipends and expenses as deemed necessary by the majority of council members that constitute a quorum, as provided in the State budget and in the Council's allocation from the federal Office of Juvenile Justice and Delinquency Prevention.

C. Staffing.

(1) GOCCP shall provide such staff and technical assistance to the Council as necessary and appropriate, including staff to serve as the designated Juvenile Justice Specialist required under federal law and regulations.

(2) The Compliance Monitor shall perform the required functions to ensure compliance with federal standards regarding detention of juveniles in secure detention facilities, secure correctional facilities, non-secure facilities, secure adult lockup facilities and court holding facilities.

(3) The DMC Coordinator shall be an appointed member of the Council and provide technical assistance as necessary and appropriate. The coordinator's primary focus shall be the disproportionate minority youth within the State's juvenile justice system.

D. Duties and Responsibilities.

(1) The Council shall serve as the State Advisory Group required by the Act. The Council shall perform the functions, and have the duties and responsibilities, set forth in the Act, as amended from time to time.

(2) The Council shall review and make recommendations on all juvenile and delinquency prevention grant applications, and the Executive Director will consider these recommendations when making grant awards under the Act.

(3) The Council shall provide advice to GOCCP in developing, maintaining and expanding efforts to divert juveniles from the juvenile justice system and to provide community-based alternatives to juvenile detention and correctional facilities.

(4) The Council shall advise the State's compliance monitor, DMC Coordinator, and Juvenile Justice Specialist when necessary, and the State's compliance monitor, DMC Coordinator, and Juvenile Justice Specialist shall advise the Council of the status of all juvenile detention/correctional facilities and community-based programs to ensure compliance with the Act.

(5) The Council shall perform any additional duties as directed by the Executive Director of GOCCP on behalf of the Governor.

E. Reporting. The Council shall report annually to the Governor, by way of the Executive Director of GOCCP, on its activities and recommendations on or before June 1 of each year.

F. Conflicts of Interest. The Council shall acknowledge and abide by policies and procedures set forth by GOCCP to guard against actual conflicts of interest or the appearance of conflicts of interest for its members when making recommendations for grant awards. The procedures shall provide that members of the Council may not participate in any way in consideration of, or decisions about, grants to their own organization, an organization in which they have a financial interest, or an organization in which their family member is involved.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 8th Day of December, 2014.

Martin O'Malley
Governor

ATTEST:

John P. McDonough
Secretary of State

APPENDIX B

FORMULA GRANT REGULATION DEFINITIONS

Adult Lockup – §31.304(n):

Similar to an adult jail except that an adult lockup is generally a municipal or police facility of a temporary nature which does not hold persons after they have been formally charged.

Adult Jail – §31.304(m):

A locked facility, administered by State, county or local law enforcement and correctional agencies, the purpose of which is to detain adults charged with violating criminal law, pending trial. Also considered as adult jails are those facilities used to hold convicted adult criminal offenders sentenced for less than one year.

Court Holding:

A court holding facility is a secure facility, other than an adult jail or lockup, that is used to temporarily detain persons immediately before or after detention hearing, or other court proceedings. Court holding facilities, where they do not detain individuals overnight (i.e., are not residential) and are not used for punitive purposes or other purposes unrelated to a court appearance, are not considered adult jails or lockups for purposes of section 223(a)(13) of the JJDP Act. However, such facilities remain subject to the section 223(a)(12)(42 U.S.C. 5633 (a)(13)) separation requirement of the Act.

Facility – §31.304(c):

A place, an institution, a building or part thereof, a set of buildings or an area (whether or not enclosing a building) or a set of buildings which is used for the lawful custody and treatment of juveniles and may be owned or operated by public and private agencies.

Juvenile who is accused of having committed an offense – §31.304(d):

A juvenile with respect to whom a petition has been filed in the juvenile court or other action has occurred alleging that such juvenile is a juvenile offender, i.e., a criminal type offender or a status offender and no final adjudication has been made by the juvenile court.

Juvenile who has been adjudicated as having committed an offense – §31.304(e):

A juvenile with respect to whom the juvenile court has determined that such juvenile is a juvenile offender, i.e., a criminal type offender or a status offender.

Non-Offender – §31.304(l):

A juvenile who is subject to the jurisdiction of the juvenile court, usually under abuse, dependency or neglect statutes for reasons other than legally prohibited conduct of the juvenile.

Non-Secure Custody:

The following policy criteria, if satisfied, will constitute non-secure custody of a juvenile in a building that houses an adult jail or lockup facility: (1) the area(s) where the juvenile is held is an unlocked multi-

purpose area, such as a lobby, office or interrogation room which is non designated, set aside or used as a secure detention area or is not part of such an area, of, if a secure area, is used only for processing purposes; (2) the juvenile is not physically secure to a cuffing rail or other stationary object during the period of custody in the facility; (3) the use of the area(s) is limited to providing non-secure custody only long enough and for the purposes of identification, investigation, processing, release to parent, or arranging transfer to an appropriate juvenile facility or to court; (4) in no event can the area be designed or intended to be used for residential purposes; and (5) the juvenile must be under continuous visual supervision by a law enforcement officer or facility staff during the period of time that he or she is in non-secure custody.

Private Agency – §31.304(a):

A private non-profit agency, organization or institution is:

1. Any corporation, foundation, trust, association, cooperative, or accredited institution of higher education not under public supervision or control.
2. Any other agency, organization, or institution which operates primarily for scientific, education, service charitable or similar public purposes, but which is not under public supervision or control, and no part of the net earnings of which inures or may lawfully inure to the benefit of any private shareholder or individual, and which has been held by IRS to be tax exempt under the provisions of section 501 (c) (3) of the 1954 Internal Revenue Code.

Secure – §31.304(b)

As used to define a detention or correctional facility, to include residential facilities, which include related construction features designed to physically restrict the movements and activities of persons in custody, such as locked rooms and buildings, fences, or other physical structures. It does not include facilities where physical restriction of movement or activity is provided solely through facility staff.

Sight and Sound Separation – §31.303 (d)(1)(i)

Secure custody status is when a juvenile offender is physically detained or confined in a locked room or area. Secure detention or confinement may result either from being placed in such a room or area and/or being physically secured to a cuffing rail or other stationary object. Separation must be accomplished architecturally or through policies and procedures in all secured areas. Sight contact is when a juvenile has clear visual contact with an incarcerated adult within close proximity. Sound contact is when a juvenile can have direct oral communication with an incarcerated adult.

Status Offender – §31.304(h):

A juvenile offender who has been charged with or adjudicated for conduct, which would not, under the law of the jurisdiction in which the offense was committed, be a crime if committed by an adult.

Valid Court Order – §31.304(o):

The term means a court order given by a juvenile court judge to a juvenile who has been brought before the court and made subject to a court order. The use of the word “valid” permits the incarceration of juveniles for violation of a valid court order only if they received their full due process rights as guaranteed by the Constitution of the United States.

JJDP ACT DEFINITIONS

Secure Detention Facility - 42 U.S.C. 5603§ 103(12)(A)&(B):

“The term “secure detention facility” means any public or private residential facility which:

- Includes construction fixtures designed to physically restrict the movements and activities of juveniles or other individuals held in lawful custody in such facility; and
- Is used for the temporary placement of any juvenile who is accused of having committed an offense or any other individual accused of having committed a criminal offense.”

Secure Correctional Facility – 42 U.S.C. 5603§ 103(13)(A)&(B):

“The term “secure correctional facility” means any public or private residential facility which:

- Includes construction fixtures designed to physically restrict the movements and activities of juveniles or other individuals held in lawful custody in such facility; and
- Is used for the placement, after adjudication and disposition, of any juvenile who has been adjudicated as having committed an offense, any non-offender, or any other individual convicted of a criminal offense.

OJJDP GUIDANCE MANUAL FOR MONITORING FACILITIES UNDER THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT

[http://ojjdp.gov/compliance/guidancemanual2010.pdf/](http://ojjdp.gov/compliance/guidancemanual2010.pdf)

Criminal Type Juvenile Offender

A juvenile offender who has been charged with or adjudicated for conduct that would, under the law of the jurisdiction in which the offense was committed, be a crime if committed by an adult.

APPENDIX C

COMPLIANCE MONITORING RISK ASSESSMENT

As the State Administrating Agency (SAA) for Federal Formula Grant Funds, GOCCP is under the obligation to monitor any facility that falls under the purview of the JJDP Act to ensure compliance with the core protections. To this end, an accurate risk assessment of each secure adult lockup, jail/detention center and juvenile detention and correctional facility provides critical information to help ensure compliance with the Act is maintained.

Before a facility is classified several steps are taken to ensure that the facility is given every opportunity to show they are in compliance with the JJDP Act. Those steps are as follows:

- Inform the primary, secondary and alternative contact of the agency via email of the core protection violations that were found during the most recent data review. Give facility two weeks to provide clarification or an explanation for the violation(s)
 - Violations are reconsidered based upon the information received and are removed if possible.
- The day after data is due; the compliance monitor will contact the primary, secondary and alternative contact for the agency via email informing them that their data submission is late and give them one additional week to submit.
 - If data has not been received by the new deadline a phone call is placed to the primary contact or if necessary, the secondary or alternative contact for the agency and every effort is made to receive the data that day.
- The facility is provided with the necessary information regarding the core protections and where this information would best be addressed within their policies or procedures. If requested, facilities are provided with copies of policies from other agencies that fall within their same classification.
- Technical assistance training is offered.
- A follow up site visit is scheduled if necessary to verify that requested changes are made.

Low Risk (any one of these listed below):

- 1-3 core protection violations (DSO & Jail Removal, no separation violations)
- A facility that is late once in submitting annual, bi-annual quarterly or monthly data
- A facility that has policies and/or procedures that do not adequately address the core protections of the JJDP Act. Changes will be required within a specified period of time. If changes are not made then an agency head or higher official will be notified.

High Risk (any one of these listed below):

- A facility with a total of 4-8 core protection violations (DSO & Jail Removal, no separation violations) during either reporting period (January through June or July through December)

- A facility that is late twice in submitting annual, bi-annual quarterly or monthly data
- A facility that does not initially make specific changes (excluding policy and procedure changes) as outlined on the On-Site Summary by the follow up site visit
- A facility that is unable to provide agency data during a site visit to verify self reported data submitted
- A discrepancy between agency data and self reported data determined during a regularly scheduled site visit

Troubled (any one of these listed below):

- A facility with a total of 9-12 Jail Removal or DSO core protection violations or any number of Separation violations during either reporting period (January through June or July through December)
- A facility that, has not made specific changes (excluding policy and procedure changes) as outlined on the On-Site Summary after the second follow up site visit

Non Compliant:

- A facility with a total of 13 or more Jail Removal or DSO core protection violations or any number of Separation violations, during either reporting period (January through June or July through December)

Risk Assessment Guidelines

	Regular Monitoring	Low Risk	High Risk	Troubled (In addition to High Risk)	Dysfunctional (In addition to High Risk & Troubled)
Site visits will be conducted:	Once every three years for all adult lockups and secure juvenile detention & correctional facilities Annually for all adult jails & detention centers	No increase in site visits	Site visits will occur during subsequent 6 month period for all facility types	Site visits will occur quarterly for all facility types	Site visits will increase to monthly for all facility types
Self reported data will be collected:	On a bi-annual basis for all secure adult lockups and Jails & Detention Centers October through March submissions will be reviewed in April and April through September submissions will be reviewed in October Monthly for all secure juvenile detention and correctional facilities. Data will be reviewed the month	No increase in data collection Agency data will be reviewed and cross referenced with self reported data during all on-site visits	No increase in data collection Agency data will be reviewed and cross referenced with self reported data during all on-site visits	On a quarterly basis for all secure adult lockups, jails & detention centers Weekly for all secure juvenile detention and correctional facilities Data will be reviewed the month following submission. Agency data will be reviewed and cross referenced with self reported data during all on-site visits.	Self reported data will be collected on a monthly basis for all secure adult lockups, jails & detention centers and weekly for all secure juvenile detention and correctional facilities Agency data will be reviewed and cross referenced with self reported data during all on-site visits.

	<p>following submission.</p> <p>Agency data will be reviewed and cross referenced with self reported data during all on-site visits</p>				
Technical assistance	Training will be provided upon request	Technical assistance training will be required on an annual basis	Technical assistance will be required	Technical assistance will be required.	Technical assistance will be required
Corrective Action	No corrective action is required	No corrective action plan required	Agency will be required to create a corrective action plan outlining the steps that will be taken to bring their agency into compliance with the core protections of the Act within the next month.	Agency will be required to create a corrective action plan outlining the steps that will be taken to bring their agency into compliance with the core protections of the Act within the next month. Agency head or higher official will be informed of the agency's non-compliance	Agency will be required to create a corrective action plan outlining the steps that will be taken to bring their agency into compliance with the core protections of the Act within the next month. Agency head or higher official will be required to report out at meetings regarding their non-compliance
OJP funds affected	No OJP funds are affected	A letter will be sent to the agency head stating that OJP funds could be affected by continued non-compliance OJJDP will	A letter will be sent to the agency head stating that OJP funds could be affected by continued non-compliance OJJDP will be informed of any facility that is	A letter will be sent to agency head stating that if changes haven't been made by the following quarter OJP funds will be suspended. OJJDP will be	A letter will be sent to agency head stating that if changes haven't been made by the following quarter OJP funds will be suspended. OJJDP will be informed of any facility that is out

		be informed of any facility that is out of compliance with data collection for an entire calendar year	out of compliance with data collection for an entire calendar year	informed of any facility that is out of compliance with data collection	of compliance with data collection
--	--	--	--	---	------------------------------------

APPENDIX D

JUVENILE HOLDING LOG

State of Maryland Juvenile Holding Log
Step 3: Log Entries

To indicate that no juveniles were held at the facility during a reporting period click the checkbox, select the reporting period, and click submit.

No entries to report for [] [] [Submit]

Instructions:

1. Please enter data on any juvenile held (securely or non-securely) within the facility.
2. Please complete ALL areas of the log.

Name or ID number [] **Gender** [] **Birthdate** []

Race and Ethnicity
*PLEASE NOTE: The race and ethnicity categories have been combined pursuant to federal guidelines. Whenever possible ask youth in custody to report his/her race. Multiple selections are possible.
 American Indian or Alaska Native Asian Black Other
 Native Hawaiian or Pacific Islander Hispanic/Latino White

Date & Time In [] **Date & Time Out** []

Most Serious Offense []

Held Securely [] **Sight & Sound Separated** [] **Direct Filed** []

Notes []

[Save] [Save & Add Another Entry] [Reset] [Cancel]

DISCLAIMER Submission of this form implies that the individual completing the form is certifying accuracy of the information provided. A change in any of the above information could result in a change to the facilities classification.
If you have any questions, please contact Bill Harner, Juvenile Compliance Monitor at 410-321-2826 or via email at: bill.harner@maryland.gov

APPENDIX E

JAIL & DETENTION CENTER HOLDING LOG

State of Maryland Jail & D... x +

https://goccp.maryland.gov/restricted/jail-detention-log-2.php

State of Maryland Jail & Detention Center Holding Log

To indicate that no juveniles were held at the facility during a reporting period click the checkbox, select the reporting period, and click submit.

No entries to report for January-June 2016 Submit

Step 3: Log Entries

Instructions:

- PLEASE RECORD ALL JUVENILE OFFENDERS WHO ENTER YOUR FACILITY REGARDLESS OF THEIR OFFENSE, LOCATION HELD OR LENGTH OF TIME HELD.

Name or ID number Gender Birthday

Race and Ethnicity
**PLEASE NOTE: The race and ethnicity categories have been combined pursuant to federal guidelines. Whenever possible ask youth in custody to report his/her race. Multiple selections are possible.*

American Indian or Alaska Native Asian Black Other
 Native Hawaiian or Pacific Islander Hispanic/Latino White

Date & Time In Date & Time Out

Most Serious Offense Federal Ward?

Court Case # Case Status Direct Filed

Judicial Waiver from Juvenile to Adult Court

Notes

Save Save & Add Another Entry Reset Cancel

APPENDIX F

ADMISSIONS LOG

https://goccp.maryland.gov/restricted/admissions-log-2.php

GOCCP Home
Admin >>
Surveys >>
Logs >>
Logout

State of Maryland Admissions Log

Step 3: Log Entries

To indicate that no juveniles were held at the facility during a reporting period click the checkbox, select the reporting period, and click submit.

No entries to report for Month Year Submit

Instructions:

- Record all juvenile offenders/residents admitted/held in the facility

Name or ID number Gender Birthday

Race and Ethnicity
**PLEASE NOTE: The race and ethnicity categories have been combined pursuant to federal guidelines. Whenever possible ask youth in custody to report his/her race. Multiple selections are possible.*

American Indian or Alaska Native Asian Black Other
 Native Hawaiian or Pacific Islander Hispanic/Latino White

Date & Time In Date & Time Out

Most Serious Offense Federal Ward?

Release Placement Interstate Compact? Reverse Waiver?

Notes

Save Save & Add Another Entry Reset Cancel

DISCLAIMER Submission of this form implies that the individual completing the form is certifying accuracy of the information provided. A change in any of the above information could result in a change to the facilities classification.
If you have any questions, please contact Bill Harper, Juvenile Compliance Monitor at 410-321-2329 or via email at: bill.harper@maryland.gov.

APPENDIX G

COURT HOLDING SURVEY

GOCCP Home

Admin >>

Surveys >>

Logs >>

Logout

A A A

Court Holding Survey

To ensure proper classification of facilities for the purpose of compliance monitoring under the Juvenile Justice and Delinquency Prevention Act of 2002, as amended, the Governor's Office of Crime Control & Prevention (GOCCP) requests that your facility complete this form. It will be kept on file as documentation of compliance with the Act and for potential review by the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP).

A Court holding facility is a secure facility, other than an adult jail or lockup, which is used to temporarily detain persons immediately before or after detention hearings or other court proceedings. Court holding facilities impose an inherent and practical time limitation in that juveniles must be brought to and removed from the facility during the same judicial day.

Step 3: Survey Questions

Reporting Period

2015

1. Does your facility contain holding cells, cuffing benches, hooks, bars, rings or a locked area specifically set aside for secure detention? (If no, skip remaining questions)

Yes No

2. Is your facility ever used to "securely hold/detain adult offenders on the day of a court appearance?"

Yes No

3. Is your facility ever used to securely hold/detain juvenile offenders (a person under the age of 18) under the juvenile court jurisdiction on the day of a court appearance? (If no, skip remaining questions)

Yes No

4. Was sight and sound separation provided between adult offenders and juvenile offenders in all secure areas? (You may skip question 5 if you answered Yes)

Yes No

5. What is the total number of juvenile offenders securely held during the monitoring period (January through December) that were **NOT** sight and sound separated from adult offenders?

6. Are there written policies and procedures used at your facility that specifically relate to the sight and sound separation of juvenile and adult offenders?

Yes No

APPENDIX H

JAIL/PRISON SURVEY

The screenshot shows a web browser window with the URL <https://goccp.maryland.gov/restricted/jail-prison-survey-2.php>. The page title is "Jail/Prison Survey". A left-hand navigation menu includes links for "GOCCP Home", "Admin >>", "Surveys >>", "Logs >>", and "Logout". Below the menu are three accessibility icons (A A A). The main content area is titled "Jail/Prison Survey" and contains a paragraph explaining the survey's purpose under the Juvenile Justice and Delinquency Prevention Act of 2002. Below this is the section "Step 3: Survey Questions".

Reporting Period
2015

1. Does the facility hold Juvenile offenders (accused or adjudicated delinquent offenders, status offenders, or non-offender) under the juvenile court jurisdiction?
 Yes No

2. Does the facility hold (for any length of time) juveniles waived, transferred or automatically excluded from juvenile court and charged with a misdemeanor that is not within the original jurisdiction of the criminal court?
 Yes No

3. Do written policies prohibit the facility from admitting such an offender?
 Yes No
(The absence of such an admission, despite the length of time that has passed, does not automatically exempt the facility from potentially receiving such an admission from the criminal court. Unless the facility expressly prohibits, in writing, such admissions from occurring, the facility will have to complete the attached Log. The Log must be submitted with this survey.)

4. Does the facility have the potential to hold juveniles (persons under age 18) waived, transferred or automatically excluded from juvenile court to criminal court and charged with or convicted of a felony or a misdemeanor within the exclusive original jurisdiction of the criminal court?
 Yes No

5. Does the facility currently participate in any jail tour, scared straight, reasoned straight or shock incarceration programs*?
 Yes No

If you answered "No" to Question #5 you may omit these questions.

A. Do any of these programs involve the attendance or participation of juveniles (persons under the age of 18)? (if yes, proceed to the next question)
 Yes No

B. Are any of the juveniles participating in the program involved with the Juvenile Justice System (this includes juveniles referred formally or informally by DJS Intake, probation, the court system or a law enforcement officer)?
 Yes No

C. Are the juveniles there under the public authority of the juvenile court or DJS?
 Yes No

D. Are the juveniles participating as part of a diversion program?
 Yes No

APPENDIX I

NON-SECURE ADULT SURVEY

State of Maryland Non-Secure Adult Survey

To ensure proper classification of facilities for the purpose of compliance monitoring under the Juvenile Justice and Delinquency Prevention Act of 2002, as amended, the Governor's Office of Crime Control & Prevention (GOCCP) requests that your facility complete this form. It will be kept on file as documentation of compliance with the Act and for potential review by the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP).

Step 3: Survey Questions

Reporting Period
2015

1. Does your facility contain holding cells of any kind? (if yes, answer question 2, if not, skip to question 3)

Yes No

2. This facility contains holding cells, but they are not used to detain juveniles or adults for any reason (i.e. the cells are empty or are used for storage). Our facility has either issued a memo that the cells will not be used or has policies & procedures that contain this directive.

Yes No

3. Does your facility contain a room or office specifically used to question adult or juvenile offenders? (Please choose the ONE explanation that is most accurate)

A. There are no locks on the door to the room or office identified above and it is never used to securely hold or detain any person our agency takes into custody for any length of time.

B. There is a lock on the door but the lock is only operational from the inside, therefore, no one can be locked in, and the door cannot be locked from the outside.

C. There is a lock, that when activated, could be used to restrict an individuals movements, however, written policy prohibits this action.

4. Does your facility contain any cuffing rings, hooks, benches, bars or other stationary objects that may be used to securely hold or detain an offender for any length of time?

Yes No

5. Are there delayed egress devices of any kind of any kind in the facility?

Yes No

A. Do any of them exceed 30 seconds?

Yes No

B. Has the Fire Marshall approved them?

APPENDIX J

NON-SECURE JUVENILE SURVEY

The screenshot shows a web browser window with the URL <https://goccp.maryland.gov/restricted/non-secure-juv-survey-2.php>. The page header includes the Maryland state logo and the text "GOVERNOR'S OFFICE OF CRIME CONTROL & PREVENTION". A search bar and utility links like "Email Friend" and "Print page" are also present. The main content area is titled "State of Maryland Non-Secure Juvenile Survey" and contains the following text:

To ensure proper classification of facilities for the purpose of compliance monitoring under the Juvenile Justice and Delinquency Prevention Act of 2002, as amended, the Governor's Office of Crime Control & Prevention (GOCCP) requests that your facility complete this form. It will be kept on file as documentation of compliance with the Act and for potential review by the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP).

*The information below applies to any facility that is licensed by DHR.

38. RETENTION OF RECORDS
38.2 The Contractor shall maintain program records required by this Contract and agrees that a program and facilities review, including but not limited to meetings with consumers, review of service records, review of service policy and procedural issuances, review of allocation of staff time, staffing ratios and job descriptions, and meetings with staff directly or indirectly involved in the provision of services, may be conducted upon reasonable notice at any reasonable time by federal and/or State personnel whose official duties require such review or meetings and such other persons as are authorized by DHR.

30. ADDITIONAL REMEDIES FOR BREACH OF CONTRACT
In addition to any remedies available to the State in law or in equity, if the Contractor fails to comply with any material provision of the Contract, the State, after providing such notice as is appropriate to the particular breach, may take the following action against the Contractor: (i) suspend placements; (ii) removal placements; (iii) withhold payments; or, (iv) non-renew the Contract.

Step 3: Survey Questions

THE FOLLOWING QUESTIONS ARE TO BE ANSWERED BY RESIDENTIAL FACILITIES ONLY!

Reporting Period
2015

1. Does the facility restrict the movement of its residents for any reason?
 Yes No

A. Is the restriction accomplished via staff?
 Yes No

B. Is the restriction accomplished via physical structures (i.e. door locks)?
 Yes No

APPENDIX K

SECURE JUVENILE FACILITIES SURVEY

State of Maryland Secure Juv... X +

https://goccp.maryland.gov/restricted/secure-juv-fac-survey-2.php

GOCCP Home

Admin »

Surveys »

Logs »

Logout

State of Maryland Secure Juvenile Facilities Survey

To ensure proper classification of facilities for the purpose of compliance monitoring under the Juvenile Justice and Delinquency Prevention Act of 2002, as amended, the Governor's Office of Crime Control & Prevention (GOCCP) requests that your facility complete this form. It will be kept on file as documentation of compliance with the Act and for potential review by the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP).

Step 3: Survey Questions

Reporting Year

2015

1. Does your facility have a contract, agreement or a Memorandum of Understanding (MOU) with the Department of Juvenile Services (DJS) to provide services?

Yes No

2. Does your facility accept any amount of funding from DJS?

Yes No

3. Has your facility received any admissions from DJS and/or the juvenile court system either directly or indirectly through a co-commitment during the monitoring period of January 1 through December 31? (If yes, please proceed to question 4)

Yes No

4. Are any of the juveniles referred to in Question 3 Status Offenders* or Non-Offenders**?

Yes No

A. If yes, how many?

1

Comments

Submit

*A status offender is defined as a juvenile offender who has been charged with or adjudicated for conduct which would not, under the law of the jurisdiction in which the offense was committed, be a crime if committed by an adult (28 CFR 31.304(h)). The following are examples of

10:11 AM
4/27/2016

APPENDIX L

MARYLAND COURTS AND JUDICIAL PROCEEDINGS ANNOTED CODE

Status Offenders

Under Maryland's Annotated Code, Article – Courts and Judicial Proceedings § 3-8A-01 (e) (1) (2) (3) (4) and § 3-8A-15 (h) (1) a child alleged to be in need of supervision may not be placed in:

- i. Detention or community detention;
- ii. A State mental health facility; or
- iii. A shelter care facility that is not operating in compliance with applicable State Licensing laws.

Separation

Under Maryland's Annotated Code, Article – Limitations on place of commitment § 3-8A-22 (c) (1) (2) Child must be accommodated separately from adults. –Unless an individualized treatment plan developed under § 10-706 of the Health – General Article indicates otherwise:

- (1) A child may not be committed or transferred to any public or private facility or institution unless the child is placed in accommodations that are separate from other persons 18 years of age or older who are confined to that facility or institution; and
- (2) The child may not be treated in any group with persons who are 18 years of age or older

Jail Removal

Under Maryland's Annotated Code, Article – Courts and Judicial Proceedings § 3-8A-15 (g) Placement of child alleged to be delinquent. A child alleged to be delinquent may not be detained in a jail or other facility for the detention of adults.

Un-annotated Code of Maryland and Rules <http://www.lexisnexis.com/hottopics/mdcode/>

APPENDIX M

**Juvenile Justice and Delinquency Prevention Act of 1974, as amended in 2002
Office of Juvenile Justice and Delinquency Prevention Guidance Manual**

<http://ojjdp.gov/compliance/jjact.pdf>

<http://ojjdp.gov/compliance/guidancemanual2010.pdf/>

APPENDIX N

FACILITIES LIST

Prisons

Baltimore City Correctional Center
Baltimore City Pre-Release Unit
Brockbridge Correctional Facility
Central Maryland Correctional Facility
Chesapeake Detention Facility
Dorsey Run Correctional Facility
Eastern Correctional Institution
Eastern Correctional Institution-Annex
Eastern Pre-Release Unit
Jessup Correctional Institution
Maryland Correctional Institution - Hagerstown
Maryland Correctional Institution - Jessup
Maryland Correctional Institution for Women
Maryland Correctional Training Center
Maryland Reception, Diagnostic & Classification Center
Metropolitan Transition Center
North Branch Correctional Institution
Patuxent Institution
Patuxent Re-Entry Facility
Poplar Hill Pre-Release Unit
Roxbury Correctional Institution
Southern Maryland Pre-Release Unit
Threshold, Inc.
Western Correctional Institution

Jails & Detention Centers

Allegany County Detention Center
Baltimore City Central Booking & Intake Center
Baltimore City Detention Center
Baltimore County Detention Center
Calvert County Detention Center
Caroline County Detention Center
Carroll County Detention Center
Cecil County Community Corrections Center
Cecil County Detention Center
Charles County Detention Center
Dorchester County Detention Center
Frederick County Adult Detention Center
Garrett County Detention Center
Harford County Detention Center
Howard County Detention Center
Jennifer Road Detention Center
Kent County Detention Center
Montgomery County Correctional Facility

Montgomery County Detention Center
Ordnance Road Correctional Center
Prince George's County Department of Corrections
Queen Anne's County Detention Center
Somerset County Detention Center
St. Mary's County Detention Center
Talbot County Detention Center
Washington County Detention Center
Wicomico County Detention Center

Court Holding Facilities

Allegheny County Circuit Court
Allegheny County District Court
Anne Arundel County District Court 1
Anne Arundel County District Court 2
Anne Arundel County Sheriff's Office
Baltimore City Juvenile Justice Center (AH)
Baltimore City Juvenile Justice Center (JH)
Baltimore City Sheriff's Office
Baltimore City Sheriff's Office East
Baltimore County District Court 1
Baltimore County District Court 2
Baltimore County District Court 3
Borgerding District Court
Calvert County Circuit Court
Calvert County District Court
Caroline County Circuit Court
Caroline County District Court
Carroll County Circuit Court
Carroll County District Court
Cecil County Circuit Court
Cecil County District Court
Charles County Court Holding Facility
Dorchester County Circuit Court
Dorchester County District Court
Eastside District Court
Frederick County Circuit Court
Frederick County District Court
Garrett County District Court
Harford County Circuit Court
Harford County District Court
Howard County District Court
Howard County Sheriff's Office
John R. Hargrove, Sr. District Court
Kent County District Court
Montgomery County District Court 1
Montgomery County District Court 2
Montgomery County Sheriff's Office
Prince George's County Court Complex
Prince George's County District Court

Queen Anne's County Circuit Court
Queen Anne's County District Court
Somerset County Circuit Court
Somerset County District Court
St. Mary's County Circuit Court
St. Mary's County District Court
Talbot County District Court
Washington County Circuit Court
Washington County District Court
Wicomico County Circuit Court
Wicomico County District Court
Worcester County District Court

Lockups

Aberdeen Police Department
Allegany County Sheriff's Office
Amtrak Police
Annapolis City Police Department
Anne Arundel County Police Dept. Eastern District
Anne Arundel County Police Dept. Northern District
Anne Arundel County Police Dept. Southern District
Anne Arundel County Police Dept. Western District
Baltimore City Police Department CD
Baltimore City Police Department ED
Baltimore City Police Department HQ
Baltimore City Police Department ND
Baltimore City Police Department NED
Baltimore City Police Department NWD
Baltimore City Police Department SD
Baltimore City Police Department SED
Baltimore City Police Department SWD
Baltimore City Police Department WD
Baltimore County Police Department - CID Persons
Baltimore County Police Department - CID Property
Baltimore County Police Dept. - CAC Unit
Baltimore County Police Dept. Precinct - 01 Wilkens
Baltimore County Police Dept. Precinct - 02 Woodlawn
Baltimore County Police Dept. Precinct - 03 Franklin
Baltimore County Police Dept. Precinct - 04 Pikesville
Baltimore County Police Dept. Precinct - 06 Towson
Baltimore County Police Dept. Precinct - 07 Cockeysville
Baltimore County Police Dept. Precinct - 08 Parkville
Baltimore County Police Dept. Precinct - 09 White Marsh
Baltimore County Police Dept. Precinct - 11 Essex
Baltimore County Police Dept. Precinct - 12 North Point
Baltimore County Sheriff's Office
Bel Air Police Department
Berlin Police Department
Bladensburg Police Department
Bowie Police Department

Bowie State University Police Department
Calvert County Sheriff's Office
Cambridge Police Department
Caroline County Sheriff's Department
Carroll County Sheriff's Office
Cecil County Sheriff's Office
Centreville Police Department
Charles County Sheriff's Office- District 1
Charles County Sheriff's Office- District 3
Chestertown Police Department
Coppin State University
Crisfield Police Department
Cumberland Police Department
Delmar Police Department
Denton Police Department
DGS Maryland Capitol Police, Guilford
Dorchester County Sheriff's Office
Easton Police Department
Elkton Police Department
Fed Ex Field
Federalsburg Police Department
Frederick County Sheriff's Office
Frederick Police Department
Frostburg City Police
Frostburg State University
Fruitland Police Department
Gaithersburg Police Department
Garrett County Sheriff's Office
Greenbelt Police Department
Greensboro Police Department
Hagerstown Police Department
Hampstead Police Department
Hancock Police Department
Harford County Sheriff's Office CID
Harford County Sheriff's Office, Northern Precinct
Harford County Sheriff's Office, Southern Precinct
Havre De Grace Police Department
Howard County Police Department, Southern District
Howard County Police Department- Northern District
Hurlock Police Department
Hyattsville City Police Department
Kent County Sheriff's Office
Laurel Police Department
M&T Bank Stadium
Manchester Police Department
Maryland National Capital Park Police - Montgomery County Division
Maryland State Police Barrack A Waterloo
Maryland State Police Barrack B Frederick
Maryland State Police Barrack C Cumberland
Maryland State Police Barrack D Bel Air
Maryland State Police Barrack E Salisbury

Maryland State Police Barrack F North East
Maryland State Police Barrack G Westminster
Maryland State Police Barrack H La Plata
Maryland State Police Barrack I Cambridge Detachment
Maryland State Police Barrack I Denton Detachment
Maryland State Police Barrack I Easton
Maryland State Police Barrack L Forestville
Maryland State Police Barrack M - JFK
Maryland State Police Barrack N Rockville
Maryland State Police Barrack O Hagerstown
Maryland State Police Barrack P Glen Burnie
Maryland State Police Barrack Q College Park
Maryland State Police Barrack R Golden Ring
Maryland State Police Barrack S Centreville
Maryland State Police Barrack S Detachment
Maryland State Police Barrack T Leonardtown
Maryland State Police Barrack U Prince Frederick
Maryland State Police Barrack V Berlin
Maryland State Police Barrack W McHenry
Maryland State Police Barrack X Princess Anne
Maryland Transit Administration Police HQ/Northern
MdTA Police, Bay Bridge Detachment
MdTA Police, BWI Airport Detachment
MdTA Police, Francis Scott Key Bridge Detachment
MdTA Police, Harry W. Nice Bridge
MdTA Police, ICC Detachment
MdTA Police, Port of Baltimore Detachment
MdTA Police, Thomas J. Hatem Memorial Bridge
MdTA Police, Tunnel Command Detachment
MNCPP - Prince George's County Division
MNCPP Prince Georges County - Southern District
Montgomery County Police Department - Major Crimes Division
Montgomery County Police Department- Family Crimes Division
Montgomery County Police Dept. 1st District
Montgomery County Police Dept. 2nd District
Montgomery County Police Dept. 3rd District
Montgomery County Police Dept. 4th District
Montgomery County Police Dept. 5th District
Montgomery County Police Dept. 6th District
Morgan State University
North East Police Department
Ocean City Police Department
Ocean Pines Police Department
Oriole Park @ Camden Yards
Oxford Police Department
Perryville Police Department
Pocomoke City Police Department
Prince George's Community College
Prince George's County Police Department CID
Prince George's County Police Dept. District I
Prince George's County Police Dept. District II

Prince George's County Police Dept. District III
Prince George's County Police Dept. District IV
Prince George's County Police Dept. District V
Prince George's County Police Dept. District VI
Prince George's County Police Dept. Juvenile Transition Center
Princess Anne Police Department
Queen Anne's County Sheriff's Office
Ridgely Police Department
Rising Sun Police Department
Riverdale Park Police Department
Rockville City Police Department
Salisbury Police Department
Salisbury University Police
Somerset County Sheriff's Office
St. Mary's County Sheriff's Office
St. Mary's County Sheriff's Office District Four Station
St. Mary's County Sheriff's Office District Two Station
St. Michael's Police Department
Sykesville Police Department
Takoma Park Police Department
Talbot County Sheriff's Office
Taneytown Police Department
Thurmont Police Department
Towson University Police Department
Trappe Police Department
UMBC Police Department
UMES Police Department
University of Maryland Police Force
University of Maryland Police, College Park
Washington County Sheriff's Office
Westminster Police Department
Wicomico County Sheriff's Office
Worcester County Sheriff's Office

Non Secure Facilities

Allegany County Health Department - Jackson Unit
Arc of Washington County, Inc.- Bridgewater
Arc of Washington County, Inc.- Foundations
Arc of Washington County, Inc.- Foundations II
Arc of Washington County, Inc.- Jefferson House
Arc of Washington County, Inc.- St. Paul Road
Arrow Child & Family Ministries
Arrow Child & Family Ministries Crossroads Community at Fair Meadows
Aunt Hatties Place
Backbone Mountain Youth Center
Baltimore City Department of Social Services
Baltimore City Department of Social Services - Biddle
Baltimore City Department of Social Services - CPS
Baltimore City Department of Social Services - CPS Ext.
Baltimore City Department of Social Services - Extended Hours

Baltimore City Department of Social Services - Family Investment Center
Baltimore City Department of Social Services - Foster Care
Baltimore City Department of Social Services - Guilford
Baltimore City Department of Social Services - Harbor-view
Baltimore City Department of Social Services - Hilton Heights
Baltimore City Department of Social Services - Homeless Unit
Baltimore City Department of Social Services - Metro
Baltimore City Department of Social Services - Northwest
Baltimore City Department of Social Services - Orangeville
Baltimore City Department of Social Services - Penn North
Baltimore City Department of Social Services - Southwest
Baltimore Convention Center
Berwyn Heights Police Department
Board of Child Care
Board of Child Care - Nicodemus
Board of Child Care - Sibling Group Home
Board of Child Care - Transitional Living Group Home
Boonsboro Police Department
Brentwood Police Department
Brunswick Police Department
Building Communities Today for Tomorrow, Inc.
Capitol Heights Police Department
Care with Class, Inc.
Carroll County Historic Courthouse
Catoctin Summit Adolescent Facility
Cedar Ridge Children's Home & School, Inc.
Challengers: Berts Place
Challengers: Berts Place Too
Cheverly Police Department
Chevy Chase Village Police
Children's Resources, Inc. - Shiningtree
Crofton Police Department
Crossroads Center
Day-by-Day Residential Services, Inc.
Dept. of Labor, Licensing & Regulation
DGS Maryland Capitol Police, Annapolis Detachment
District Heights Police Department
Edmonston Police Department
Fairmount Heights Police Department
Forest Heights Police Department
Franklin Group Home & Young Adult Institute
Glenarden Police Department
Green Ridge Youth Center
Hagerstown Regional Airport
Harford Community College Public Safety
Helen Smith Girls' Home
Inner County Outreach Overlea
Inner County Outreach Therapeutic Group Home
John C. Tracey Group Home
John L. Gildner RICA
Jumoke, Inc.

Jumoke, Inc. 2
Jumoke, Inc. 3
JumpStart Program
Kemp Mill Boys' Home
La Plata Police Department
Landover Hills Police Department
Lonaconing Police Department
Making a Great Individual Contribution
Making a Great Individual Contribution 2
Making a Great Individual Contribution 3
Mary's Mount Manor
McJoy's Joy Covenant
Meadow Mountain Youth Center
Montgomery County Pre-Release Center
Morningside Police Department
Mount Rainier Police Department
National Center for Children & Families
National Center for Children & Families, Inc.
New Carrollton City Police Department
Norfolk Southern Railway Police Department
NRP Broadneck Regional Office
NRP Gwynnbrook Regional Office
NRP Hillsboro Regional Office
NRP Johnson Regional Office
NRP Southern Region Waldorf Office
Oakland Police Department
Our House, Inc.
Pathways
Redl House/Avis Birely
Ripken Stadium
Rock Hall Police Department
Royal Farms Arena
Salisbury-Wicomico County Regional Airport
San Mar Children's Home, Inc.
San Mar Children's Home, Inc. - Allegany Home
Savage Mountain Youth Center
Seat Pleasant Police Department
Silver Oak Academy
Smithsburg Police Department
Snow Hill Police Department
St. Charles Town Center
St. Vincent's Villa
The Children's Guild, Inc. - Debuskey House
The Children's Guild, Inc. - Harford House
The Children's Guild, Inc. - Kanner House
The Children's Home, Inc.
The Maryland Salem Children's Trust, Inc.
Trimir Home for Children & Families
Tuttie's Place
United States Fellowship, Inc.
University of Baltimore Police Department

University Park Police Department
Upper Marlboro Police Department
Worcester County Health Department
Youth Connection Center-East
Youth Connection Center-West
Youth Enterprise Services, Inc. - Gwynn Oak House
Youth Enterprise Services, Inc. - Liberty House
Youth Enterprise Services, Inc. - Lincoln House
Youthtown II

Secure Juvenile Facilities

Adventist Behavioral Health Center Eastern Shore
Adventist Behavioral Health Services
Alfred D. Noyes Children's Center
Baltimore City Juvenile Justice Center, Detention
Baltimore City Police Juvenile Booking Unit
Charles H. Hickey, Jr. School
Cheltenham Youth Facility
Chesapeake Treatment Center
Good Shepherd Center
J. Deweese Carter Youth Facility
Lower Eastern Shore Children's Center
Maryland Treatment Centers, Inc. (Mountain Manor)
Regional Institute for Children & Adolescents
Sheppard Pratt Health System
Spring Grove Hospital Center
The Jefferson School
The Woodbourne Center
Thomas J.S. Waxter Children's Center
Victor Cullen Center
Western Maryland Children's Center
William Donald Schaefer House