Appendix 3

DISTRICT OF COLUMBIA
OFFICE OF THE INSPECTOR GENERAL
AUSTIN A. ANDERSEN
INTERIM INSPECTOR GENERAL

INSPECTIONS AND EVALUATIONS DIVISION

MANAGEMENT ALERT REPORT

DEPARTMENT OF HUMAN SERVICES

YOUTH SERVICES ADMINISTRATION
DIVISION OF COURT AND COMMUNITY PROGRAMS

ABSCONDERS FROM YSA CUSTODY POSE SERIOUS RISKS TO THE COMMUNITY

MAR 04 – I - 010
JULY 30, 2004

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Inspector General

Inspector General

July 30, 2004

Yvonne D. Gilchrist
Director
Department of Human Services
64 New York Avenue, NE
6th Floor
Washington, DC 20032

Marceline D. Alexander
Acting Administrator
Youth Services Administration
8300 Riverton Court
Laurel, MD 20724

Dear Ms. Gilchrist and Ms. Alexander:

This is a Management Alert Report (MAR-04-I-010) to inform you of a significant issue that has come to our attention as a result of our inspection of the Department of Human Services, Youth Services Administration (YSA), Division of Court and Community Programs (DCCP). The Office of the Inspector General (OIG) provides these reports when we believe a serious matter requires the immediate attention of District of Columbia government officials.

Efforts to locate youths who have absconded[1] from YSA-sponsored group and shelter homes have been minimal and ineffective. These youths are guilty of offenses ranging from unauthorized use of a vehicle to murder (Attachment 1), and may pose serious and immediate risks to both the community and to themselves. DCCP documents show that since June 2001, 223 youths have absconded from YSA group and shelter homes. Sixty-nine[2] are still listed in absconder status, and 23 have been missing for over 2 years. Quick and determined action should be taken to:

- better evaluate the risks associated with assigning youths who have committed numerous serious crimes to a group or shelter home in the community;

[1] Absconders are youths who leave a YSA facility and do not return by a designated curfew hour or who do not return at all, and are considered to be missing.
[2] One youth on YSA's most recent absconder list of 69 was killed in June 2004.

- improve the supervision, oversight, and security of group and shelter home operations; and
- develop an active and effective absconder program to assist law enforcement authorities in locating and returning absconded youths.

We believe that taking these actions will:

- reduce the likelihood that high-risk youths will be housed in non-secure facilities from which they can easily abscond and get into additional trouble in the community, be injured, or injure others;
- minimize the interruption of YSA-sponsored services to troubled youths, such as substance abuse treatment, medical treatment, counseling, and education; and
- increase the number of absconders who are located and returned to YSA or court custody.

Background

Youths under 21 years old who are arrested and found guilty of criminal acts may be remanded by the court to the custody of YSA. During what is called the "intake" process, YSA may assign a youth to his or her family home, a group or shelter home sponsored by YSA, a residential treatment facility, or to the District's Oak Hill Youth Center (OHYC) in Laurel, Maryland. A youth's placement is determined by various factors, such as the seriousness of the offense, an assessment by the Superior Court Social Services Division and YSA case managers of the youth's background and needs, facility and resource availability, and the risk of endangerment to the youth and the community. YSA operates or has contracts for the following facilities for youths in the juvenile justice system:

- Shelter homes that house youths who are being detained on a short-term basis (days to weeks), such as runaways who are returned to their parents or youths awaiting a court appearance for minor offenses.

- Residential treatment facilities that provide intensive and specialized treatment services in a secure environment.

- Group homes that house youths who have more serious delinquency problems; who come from abusive or unstable home environments; and who exhibit antisocial behavior or have other issues that require a more restrictive living arrangement for a longer period of time. These youths are committed to YSA's custody for more extended periods, usually months.

- OHYC, which is self-contained and physically secure. It houses youths guilty of serious offenses who are committed for extended terms, as well as some youths whose cases have not been adjudicated by the court and for whom there is no room in a shelter home. OHYC has a school, and provides medical, psychiatric, and drug

treatment services, as well as counseling and training. There have been no abscondences from OHYC in the past 8 years.

Observations

1. **Inaccurate risk assessments and subsequent assignments to non-secure community facilities, ineffective monitoring of youths' movement into and out of a facility, and deficient monitoring of youths' activities outside of a facility increase the risk of abscondences.**

   a. ***Initial risk assessments of some youthful offenders may not accurately reflect the seriousness of their offenses, their extensive criminal backgrounds, or their potential danger to the community.***

After youths charged with criminal offenses have been found guilty by the court, YSA's Court Liaison Unit gives them a Risk Assessment Score based on evaluations of family life, psychological state, and criminal history. Scores of 5-16 represent low to medium risk, and scores of 17-30 reflect high risk. High risk youths typically will be recommended for placement in a secure detention facility, like OHYC, while low to medium risk youths may be sent to a community group home or treatment facility.[3] According to some case managers, however, some youths with extensive criminal backgrounds, serious or repetitive charges, and hardened attitudes are inappropriately evaluated at this stage of the process as low to medium risk rather than high risk. They are subsequently sent to non-secure group homes from which they can easily abscond and resume their criminal behavior or engage in other antisocial activities. These inappropriate placements endanger community residents as well as the youthful offenders themselves.

The case of "Mike,"[4] a 16-year-old absconder, exemplifies the risk created by inadequate assessments. According to media reports, Mike had a history juvenile arrests, including heroin possession. In spite of his record, he was assigned to a non-secure, YSA community group home and allowed to leave each day for school and trusted to return. Mike absconded, shot and killed an individual he attempted to rob, and was himself shot and killed by his intended victim. We found no evidence that YSA had taken any significant action beyond a few telephone calls and a letter to his parents to locate Mike and return him to YSA custody. In addition to Mike's case, local media have recently reported another killing involving an absconder from a group home under YSA authority. This absconder also had a reported history of serious criminal charges.

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[3] The Risk Assessment Score is also used to determine the types of services a youth will receive, such as individual and group counseling, psychological and medical treatment, and anger management classes.
[4] Not his real name.

b. Monitoring procedures in some group and shelter homes are reportedly lax and inconsistent, and increase the risk of abscondences.

Also critical to the problem of abscondence is the quality of security and oversight of youths by employees of the group and shelter homes. During our inspection, the team found or was notified that:

- some youths are often permitted to enter and leave facilities at will;
- curfew times are sometimes inappropriate (youths at one group home who attend school are given an 8 p.m. curfew time, although schools normally let out between 3 p.m. and 4 p.m.);
- some facility operators reportedly are not monitoring or locking the doors of the facilities at night;
- some employees reportedly sleep during the evening when they should be monitoring the activities of youths;
- some youths who abscond are returned to the same group home after they are apprehended, which may result in repeated abscondences;
- some group home operators reportedly provide weekend and evening passes to youths without notifying the social workers or case managers responsible for those youths;
- an allegation was made that in some facilities, employees give out home passes indiscriminately to youths so they can shut down the group or shelter home over the weekend; and
- there are credible allegations that some youths are using illegal substances inside the group homes.

The purpose of placing troubled youths in group and shelter homes is to provide them with a stable and secure environment that ensures their welfare and the safety and protection of the public. Inadequate monitoring, ineffective security measures, improper placement of youths with a history of absconding, and inappropriate curfews increase the likelihood of abscondences and provide youths with opportunities to resume their criminal activities in the community.

2. <u>Absconder Locator Component (ALC) employees have not been provided the procedures or training to make more than minimal efforts to locate absconders, some of whom pose a threat to the community and to themselves.</u>

In 2003, YSA drafted an Absconder Outreach Initiative (AOI)[5] (Attachment 2), and created the ALC, a five-person unit to locate absconded youth and assist the Metropolitan Police Department (MPD) in returning them to YSA custody. Although the AOI document contains procedures and protocols to guide the ALC in locating absconders, at the time of this writing, the

[5] The function of locating absconders was established in August 2003 as an initiative directed at committed youths of YSA who abscond from their assigned or mandated YSA operated or contracted community based facilities. On January 15, 2004, this initiative was expanded to include the compilation of information and data on detained youths.

document had not been finalized and approved by senior YSA management. Consequently, ALC employees have been working without a clearly articulated mission, position descriptions, policies and procedures, or written performance standards. Employees had no prior experience with tracking and locating absconders, and have not received any specific training since assuming their positions.

Employees stated that when the ALC was created, its duties consisted only of compiling data on absconded youths, such as the number who have absconded from group and shelter homes, the number who have returned to their group or shelter homes, absconded youths who have "aged" out of YSA's system by turning 21, and absconded youths incarcerated in state or federal prisons, or out-of-state juvenile detention centers. These tasks were performed telephonically, and no field investigations were conducted.

a. ALC employees do not conduct field investigations on every youth who absconds.

The AOI draft document requires that a field investigation be conducted on all youths who abscond from government custody. Such an investigation should include in-person as well as telephonic inquiries at the last known residence; notification of family; questioning of friends and officials at schools, local jails, hospitals, welfare and service agencies, as well as other agencies with whom a juvenile may have had contact. The investigation also should include canvassing the youth's former neighborhood, schools, and places of employment.

Between August 2003 and April 2004, the ALC documented only 20 instances when field investigations were conducted to locate the 68 youths currently in absconder status. Although procedures are in draft, ALC employees stated that they have not been required by YSA management to conduct field investigations to locate absconded youths. They have conducted some field investigations on their own initiative, but stated that they are hesitant to do so routinely because they are untrained and lack detention or arrest authority.

b. There does not appear to be an adequate exchange of information or close coordination between YSA and MPD in attempts to locate absconders.

YSA and MPD have a 1997 agreement (Attachment 3) stipulating that MPD will attempt to locate children in coordination with YSA.[6] In order for MPD to apprehend a youth, it is imperative that YSA notify MPD as soon as a custody order has been signed. However, DCCP Abscondence Tracking Reports from August 2003 to April 2004 show that ALC made only 14 contacts with MPD, although custody orders had been signed for all 68 youths currently in abscondence status. Employees stated that they only contact MPD when a judge has signed a custody order *and* they can confirm the location of a youth. Such confirmation, however, is clearly unlikely because ALC makes only minimal efforts to locate absconded youths. This breakdown in coordination and communication makes it difficult for MPD to locate and apprehend absconded youths in a timely manner.

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[6] Agreement between the Superior Court, Metropolitan Police Department, the Corporation Counsel, the LaShawn General Receivership on Behalf of Child and Family Services Agency of the Department of Human Services, and the Department of Human Services' Youth Services Administration.

YSA's notifications to MPD on absconders should include background information, physical descriptions, contact information on family and friends, and photographs. The team could not determine exactly what identifying information YSA transmits to MPD on absconded youths, but did conclude that no photographs are sent, because none are taken during the intake process. Title 29 DCMR § 6257.3 (g) states, in part, that not more than 48 hours after a youth's admission, a YSA facility shall complete an admissions record that includes a current photograph of the resident. Without photographs, both ALC employees and law enforcement officers must rely on unreliable physical descriptions of absconded youths.

MPD's Youth and Family Services Division[7] also does not appear to have up-to-date written policies and procedures regarding coordination with YSA or that specify MPD actions to locate absconded youths. Both YSA and MPD employees stated that a Memorandum of Understanding (MOU) is being developed by the two agencies to increase communication and coordination, but no target date for its completion was identified.[8]

Recommendations:

1. That the A/YSA seek to collaborate with the Superior Court Social Services Division, including probation officers, on a qualitative review of the intake placement process. The objectives would be to (a) improve the decision making that leads to the assignment of youths to either secure or non-secure facilities; and (b) lower the risk of dangerous youth offenders absconding back into the community where they might harm others or be harmed.

2. That the A/YSA review security and monitoring practices in all group and shelter homes and ensure that day-to-day operations minimize the risk of abscondences, while meeting the requirements to provide residential care, treatment, and services for the youths.

3. That the A/YSA review the feasibility of automatically placing youths who abscond from a group or shelter home into more secure facilities once they have been apprehended.

4. That the A/YSA take immediate steps to ensure that all youths are photographed; that photos are placed in each case file; and that photos of absconders are forwarded to the MPD absconders unit.

5. That the A/YSA immediately institute the procedures and protocols contained in the draft Absconders Outreach Initiative document.

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[7] According to the 1997 agreement, the Youth and Family Services Division of MPD has assigned four officers to the MPD Abscondence Unit whose working hours are 5 a.m. to 1 p.m., Monday through Friday. In addition, the agreement states that MPD will provide pagers to the officers on duty with the Abscondence Unit to expedite communication with social workers, guardians, parents, caretakers, and other appropriate individuals.

[8] According to YSA and MPD officials, this MOU is being developed among YSA, MPD, the District of Columbia Superior Court, and the Attorney General for the District of Columbia.

6. That the A/YSA seek to expedite approval among all concerned agencies of the draft MOU on abscondence policies and procedures, so that ALC and MPD roles and responsibilities regarding locating and apprehending absconders can be clarified and implemented quickly.

Please provide your comments on this MAR by Monday, August 16, 2004. Your response should include actions taken or planned, dates for completion of planned actions, and reasons for any disagreement with the concerns and recommendations presented. Please distribute this Management Alert Report to only those personnel who will be directly involved in preparing your response. Should you have questions or if you desire a conference before responding, please contact [redacted], Director of Planning and Inspections, at 202-727-8490.

Sincerely,

Austin A. Andersen
Interim Inspector General

AAA/lp

cc: Mr. Robert C. Bobb, Deputy Mayor and City Administrator
Mr. Tony Bullock, Director, Office of Communications
Neil O. Albert, Deputy Mayor for Children, Youth, Families and Elders
Charles H. Ramsey, Chief of Police, Metropolitan Police Department
Mr. Robert Spagnoletti, Attorney General for the District of Columbia
The Honorable Linda W. Cropp, Chairman, Committee of the Whole, Council of the District of Columbia
The Honorable Sandra Allen, Chairman, Committee on Human Services
The Honorable Vincent B. Orange, Sr., Chairperson, Committee on Government Operations, Council of the District of Columbia
The Honorable Kathy Patterson, Chairman, Committee on the Judiciary
The Honorable Lee F. Satterfield, Chief Judge, Family Court, District of Columbia Superior Court
Michelle Bragg, Ph.D., Center for Innovation and Reform

ATTACHMENT 1

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HUMAN SERVICES

Youth Services Administration

YSA/DCCP/ABSCONDENCE
COMMITTED-ABSCONDED DESCRIPTION OF OFFENSE

No.	Description Of Offense
1	BURGLARY II, RECEIVING STOLEN PROPERTY.
2	UUV- USE OF UNAUTHORIZED VEHICLE.
3	MARIJUANA (POSS) DISMISSED 6-04-02
4	UUV-DRIVER AND RECEIVING STOLEN PROPERTY.
5	ATTEMPT TO COMMIT. CRIME- UUV
6	MARIJUANA AND CRACK COCAINE (POSS)
7	ROBBERY ARMED –UUV- DRIVER
8	UUV-DRIVER. (USE OF UNAUTHORIZED VEHICLE).
9	ATTEMPT TO COMMIT. CRIME- UUV
10	MARIJUANA SALE
11	UUV-DRIVER, NO PERMIT
12	NO PERMIT- DRIVER
13	PWID-COCAINE. (POSSESSION WITH INTENT TO DISTRIBUTE).
14	ROBBERY- FEAR
15	PWID COCAINE-MARIJUANA (POSS)
16	CONTROL SUBSTANCE ACT-MARIJUANA (PWID) WHILE ARMED.
17	UUV-PASS.(COUNT B)
18	ROBBERY-PURSE SNATCH
19	UUV-CONTROL SUBSTANCE ACT- MARIJUANA (POSS.)
20	MURDER 1- ARMED GUN
21	UUV-PASS, DISMISSED 5-29-02
22	COCAINE AND PARAPHENALIA (POSS.)
23	UUV-DRIVER, RECKLESS DRIVING, NO PERMIT
24	ASSAULT ON POLICE OFFICER.
25	CONTROL SUBSTANCE ACT- MARIJUANA (POSS W/I DIST.)
26	CONTROL SUBSTANCE ACT- COCAINE (POSS.)
27	PWID- COCAINE, CARRYING PISTOL WITHOUT LICENSE, UNREG. FIREARM
28	UUV-DRIVER, NO PERMIT, RECKLESS DRIVING.
29	ASSAULT ON CORRECTIONAL OFFICER
30	UUV-USE OF UNAUTHORIZED VEHICLE.
31	CONTROL SUBSTANCE ACT-(CSA) COCAINE (DIST.)
32	POSSESSION PROH. WEAPON (MANCHINE GUN) CDW (GUN) POSS. UNREG.AMMO.
33	CONTROL SUBSTANCE ACT- HEROIN (POSS. W/I DIST.)
34	NO PERMIT
35	DISTRIBUTION OF COCAINE.
36	CONTROL SUBSTANCE ACT- HEROIN (SALE)
37	SIMPLE ASSLT.
38	PWID- CRACK COCAINE
39	UUV-DRIVER
40	DEST. PROP. -OVER $200. UUV-DRIVER, ASSAULT ON OFFICER
41	CSA COCAINE (POSS.W/IDIST.)
42	ASSAULT WITH DEADLY WEAPON-FIRE EXT. SIMPLE ASSAULT.

No	Description Of Offense
43	ROBBERY CAR. WEAPON, POSS. UNREG. AMMO.
44	POSS. UNREGISTERED AMMO. –COCAINE,(PWID) MARJ.(PWID) MURDER 2
45	PROSTITUTION SOLICITS. LEWD PURPOSE
46	DESTRUCTION OF PROPERTY- UNDER $200
47	ROBBERY ARMED
48	CARRYING A DEADLY WEAPON-GUN,POSS. OF PROHIBITED WEAPON, UNREGISTERED AMMO.,FIREARMS.
49	MARIJUANA SALE
50	PWID COCAINE SALE
51	CSA HEROIN (POSSW/IDIST.)
52	CARRY DAN. WEAPON (GUN)
53	SIMPLE ASSAULT-ADW BOTTLE.
54	ROBBERY
55	UUV-PASS.
56	CSA COCAINE (POSS.)
57	COCAINE (SALE)
58	CARRYING PISTOL WITHOUT LICENSE, POSS. UNREGISTERED RIFLE, UNREGISTERED AMMO.
59	POSSESSION PROHIBITED WEAPON
60	UUV-DRIVER, RECEIVING STOLEN PROP. - FELONY
61	CARRY DANG. WEAPON- KNIFE
62	CARRYING PISTOL WITHOUT LICENSE, UNREGISTERED FIREARM, AMMO.,UUV-DRIVER.
63	CONTROL SUBSTANCE ACT- HEROIN (POSS.W/IDIST.)
64	CSA MARJ. (DIST.) UUV-DRIVER
65	DC CONTROL SUBSTANCE ACT- COCAINE & MARIJUANA (POSS.)
66	HEROIN (POSS.W/IDIST.) AND COCAINE
67	SEXUAL ABUSE THIRD DEGREE
68	DISORDERLY CONDUCT
69	THEFT IN THE 2nd DEGREE