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After Major Outbreak Confirmed at Youth Facility in Carroll County, Public Defender Demands Testing for All Children in DJS Custody.

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Today, the Office of the Public Defender, Juvenile Protection Division (JPD) Chief issued a [letter to the Secretary of the Department of Juvenile Services \(DJS\)](#) calling for all children who are detained or are in placement to be tested for COVID-19.

“The constant flow of both staff and youth in and out of these facilities—where large numbers of children are housed in close proximity—means that a powerful virus like COVID-19 can take over quickly and easily,” said Deborah St. Jean, JPD Chief and author of the letter. “To protect our clients, DJS staff, private facility staff, and the communities where these facilities are located, the Office of the Public Defender is requesting that DJS proactively test for COVID-19 all youth housed in DJS detention facilities and all youth committed to DJS and placed in any public or private facility within the state of Maryland or out-of-state.”

Current DJS practice is to only test youth who display COVID-19 symptoms, while isolating children – in conditions identical to solitary confinement – if they may have been exposed to the virus and asymptomatic.

This request comes in the aftermath of an outbreak at Silver Oak Academy, a privately-run DJS detention facility in Carroll County. Late last week, three children were taken to the hospital due to COVID-19 symptoms, resulting in the Carroll County Health Department requiring Silver Oak to conduct widespread testing. These tests confirmed that 26 of the 29 children incarcerated at Silver Oak, as well as 13 staff members, tested positive. OPD had raised concerns to DJS about Silver Oak’s insufficient COVID-response measures on two prior occasions, but those complaints were belated and insufficiently addressed.

While Silver Oak is the only facility in the state to conduct widespread testing, it is not unique in its COVID-19 threat. “Currently two-thirds of DJS detention centers and the largest DJS-run committed facility—Victor Cullen—have had staff, youth, or both test positive for COVID-19,” St. Jean noted. With today’s letter, OPD demands that DJS take a more proactive response for other facilities and that local health departments follow the lead of Carroll County and demand that youth incarcerated in their jurisdiction be tested.

“Widespread testing is essential for our clients, their families, and the citizens of Maryland to have an accurate and unequivocal indication of how extensively COVID-19 has infiltrated any facility where Maryland youth are detained by DJS or where DJS committed youth are housed.”

Providing widespread testing in youth facilities would place them on par with nursing homes. On April 29th, Governor Hogan mandated testing for all nursing home residents and staff, regardless of whether they exhibited symptoms, based on the threat of an imminent outbreak, along with daily evaluations of residents by a medical professional. Noting the disparity, St. Jean asked, “Do the children in the care of the Department deserve less?”

The letter to DJS is available online here: https://c026acbc-bc5d-4cef-8584-0a0bde77d83b.filesusr.com/ugd/868471_20fb2c1554d44bb08577d3fbc000a8de.pdf.

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