

BEFORE THE DEPARTMENT OF HUMAN SERVICES
STATE OF COLORADO

Case No. SLD 2018-____

ORDER OF SUMMARY SUSPENSION

IN THE MATTER OF THE LICENSED CHILD CARE CENTER, BETTY K.
MARLER YOUTH SERVICES CENTER, INC., LICENSE NO. 1533353

THE PEOPLE OF THE STATE OF COLORADO

TO: Mr. William Wood, Interim Program Director and Regional Director
Mr. Kent Moe, Executive Director, Mountain Region
Rite of Passage, Inc.
Betty K. Marler Youth Services Center
7862 W. Mansfield Parkway
Denver, CO 80235

The Colorado Department of Human Services (the Department), pursuant to §§ 24-4-104(4) and 26-6-108(2), C.R.S. (2017), and upon information obtained from inspections, investigations and other reports concerning the matter referenced below, finds:

1. The Department has jurisdiction over the license, persons and subject matter referenced in this document.

2. The Department issued permanent license no. 1533353 to the Betty K. Marler Youth Services Center (Marler) to operate as a secure residential treatment center at 7862 W. Mansfield Parkway, Denver, CO 80235. The license has an effective date of June 2, 2005, with the most recent continuation notice received on or about July 16, 2018. The license issued authorizes the care of 40 children of the ages 12 years 0 months to 18 years 0 months and also authorizes Marler to accept persons 18-21 years old.

3. The Department received a report indicating that on July 7, 2018, nine youth from Marler refused to return to their units at the conclusion of recreation time. The youth were left outside under the supervision of an unspecified number of Marler staff. One youth returned to programming. The shift supervisor made the decision to contact Jefferson County Sheriff's department roughly 45 minutes later due to the security and supervision risk posed by the youth refusing to cooperate. When law enforcement arrived, the Marler shift supervisor instructed them they could not enter grounds with guns and dogs. Shortly thereafter, the youth exited the courtyard through one of the gates and two youth sat at a picnic

table on grounds unsupervised by staff. Staff followed five youth across campus and the youth climbed atop the roof of a vacant building on campus. Mount View Youth Services Center (Mount View) staff were called for assistance as Marler and Mount View share a campus. Youth were threatening to assault anyone who approached them. One youth ran towards the roof's edge and threatened to jump off and land on her head because she did not want to live anymore. Some of the residents removed their shirts and were sexually fondling each other and kissing. After several minutes Marler staff went onto the roof, restrained one of the residents and brought her down from the roof. Three more Marler residents then came down without issue. Mount View staff assisted in processing with the last resident on the roof and she came down and walked back with staff to the Marler facility.

Mount View staff arrived at the Marler facility and observed residents running around their unit with no Marler staff present. Several residents had hickeys on and around their necks. After several minutes passed without Marler staff responding to radio calls, Mount View staff again attempted to reach Marler staff requesting they head back to their units as several of the residents were still unsecured, making threatening statements, and only Mount View staff were present. Several more minutes passed reportedly before Marler staff arrived and relieved Mount View staff in the facility. The two youth who were left unsupervised on the bench outside were later found by Mount View staff to be kissing, biting each other's necks, and sexually touching each other inside of their pants.

After repeated calls for the need for Marler staff supervision with no response from Marler staff, Marler staff eventually responded to the picnic table area. Mount View staff observed a responding male Marler staff member grab a youth around her neck and throw her to the ground. Other staff from Marler began to assist in the physical response and the male staff person removed his arm from around the female resident's neck and onto her back. A female Marler staff who entered the dining hall where the Mount View staff was supervising Marler youth having visits was told that there were two females doing inappropriate things and the female staff said, "I work in control. I have a camera on them" and walked away.

Later that same evening, three of the youth who were on the roof broke a ceiling light fixture and used the glass to open wounds on their arms requiring transport to an emergency room and stitches.

4. The Department has reasonable grounds to believe and finds that the operation of this secure residential treatment center presents a substantial danger to the public health, safety, and welfare requiring emergency action, as indicated by the following:

- (a) The Licensee's failure to maintain standards prescribed and published by the department of human services, in violation of § 26-6-108(2)(d), C.R.S. (2017); and
- (b) The Licensee's willful or deliberate violation of the Child Care Licensing Act, in violation of § 26-6-108(2)(i), C.R.S. (2017).
- (c) Substantial evidence is found that the Licensee and/or a person employed by the Licensee, has committed an act of child abuse, in violation of 26-6-108(2)(l), C.R.S. (2017). Child abuse as used in 26-6-108(2)(l) is defined in section 19-1-103(1), C.R.S.

THEREFORE, the Department is authorized to summarily suspend this license pursuant to §§ 24-4-104(4), 26-6-108(2)(d), and 26-6-108(2)(i), 26-6-108(2)(l), C.R.S. (2017).

ACCORDINGLY, IT IS ORDERED that license number 1533353, issued to Betty K. Marler Youth Services Center, Inc. is summarily suspended pending proceedings to determine whether that license should be further suspended or revoked. The Licensee shall immediately surrender license number 1533353 to the Department pending the conclusion of the administrative proceedings herein.

FURTHERMORE, IT IS ORDERED:

1. That the Notice of Charges be promptly prepared and sent to Betty K. Marler Youth Services Center.
2. That administrative proceedings be instituted and determined promptly.
3. That the Betty K. Marler Center shall immediately desist and refrain from any further act for which a child care license is required by the State of Colorado.
4. That the Betty K. Marler Center shall immediately surrender license no. 1533353 to the Department pending the conclusion of the administrative proceedings herein.

DONE this 16th day of July, 2018.

COLORADO DEPARTMENT OF HUMAN
SERVICES

Minna Castillo-Cohen

**Minna Castillo-Cohen, M.Ed,
Director, Office of Children, Youth and Families**