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2016 JHA Monitoring Report for Illinois Department of Juvenile Justice Southern Facilities: IYC-Pere Marquette and IYC-Harrisburg



PERE MARQUETTE VITAL STATISTICS

(Source: IDJJ 5/23/16)

Population: 40
Capacity: 40
Average Age: 16.5
Average Length of Stay: 90-120 days
Average Annual Cost Per Youth: \$164,557

Population Breakdown

By age: 14 – 2; 15 – 3; 16 – 12; 17 – 18; 18 – 5
By race: Black 65%, Hispanic 2.5%, White 32.5%¹
By committing offense (8/11/2016): Class 1 – 4;
Class 2 – 8; Class 3 – 8; Class 4 – 3
By sentence type (9/5/16): Delinquent - 26; Court
Evaluation – 2²

HARRISBURG VITAL STATISTICS

(Source: IDJJ 5/25/16)

Population: 117
Capacity: 300
Average Age: 17.37
Average Length of Stay: 180 days
Average Annual Cost Per Youth: \$135,064

Population Breakdown

By age: 13 – 1; 14 – 8; 15 – 17; 16 – 24; 17 – 33;
18 – 29; 19 – 5; 20 – 3
By race: Black 79.5%, Hispanic 5.1%, White
27.4%
By committing offense: Murder – 2; Class X – 14;
Class 1 – 33; Class 2 – 48; Class 3 – 15; Class 4 – 5
By sentence type: Delinquent – 97; Extended
Juvenile Jurisdiction Prosecution – 2; Felon – 10;
Habitual Offender – 2; Court Evaluation – 4³

¹ JHA recommends that the Illinois Department of Juvenile Justice (IDJJ) assess the data collection methods used for capturing, coding, and reporting racial and ethnic data and implement best practice guidelines to enhance the accuracy and consistency of data. See ILLINOIS JUVENILE JUSTICE COMMISSION, GUIDELINES FOR COLLECTING AND RECORDING THE RACE AND ETHNICITY OF YOUTH IN ILLINOIS' JUVENILE JUSTICE SYSTEM, 6 (Fall 2008), http://modelsforchange.net/publications/185/Guidelines_for_Collecting_and_Recording_the_Race_and_Ethnicity_of_Youth_in_Illinois_Juvenile_Justice_System.pdf.

² “Delinquent,” or court admissions, are youth that are tried and convicted in juvenile court and are serving a juvenile sentence. “Court Evaluation” youth are remanded to custody by a judge to be evaluated on whether they need IDJJ services and these youth return to court after a period of time specified by the judge with this evaluation. See IDJJ Summary of State Fiscal Year 2015 Admissions, <http://www.illinois.gov/idjj/Documents/Summary%20of%20State%20Fiscal%20Year%202015%20Admission%20to%20the%20Illinois%20Department%20of%20Juvenile%20Justice%20Facilities.pdf>.

KEY OBSERVATIONS

- Illinois' efforts to keep youth with low-level offenses out of secure facilities and the reduction of population in the Illinois Department of Juvenile Justice (IDJJ) have resulted in a purposeful shift of the profile of incarcerated youth to those who have been adjudicated for more serious offenses.
- Staff at both southern facilities expressed that training had not adequately prepared them to successfully rollout new de-escalation techniques to address disruptive behavior, leaving staff with the impression that there were no or few consequences for youth who engage in negative behavior, which at times has led to poor staff morale.
- Pere Marquette has improved its provision of community re-integrative opportunities as well as increased family visitation, and Harrisburg has notably improved the accessibility of information to youth and families in its youth orientation handbook.
- Pere Marquette was a pilot site for implementation of the National School Lunch Program, planned to roll out system-wide.
- Both facilities continue to be leaders in implementing Positive Behavioral Interventions and Supports (PBIS); however, the behavioral program is not standardized among IDJJ facilities, which would ensure the consistency of application and increase buy in for youth and staff.
- Vocational programs were not provided on grounds at Pere Marquette or Harrisburg; however, some Pere Marquette youth are able to participate in the YouthBuild program, which can result in earning a certificate. Additionally, Harrisburg recently entered into a contract that will provide three certified vocational programs on grounds.
- Youth at both facilities exhibited anxiety surrounding Prisoner Review Board (PRB) hearings that determine their release from state custody and reentry into the community.
- Pere Marquette reported that they are able to provide about a quarter of youth released from the facility with a state identification card upon release.

I. EXECUTIVE SUMMARY

In May 2016, the John Howard Association of Illinois (JHA) visited the Illinois Department of Juvenile Justice's (IDJJ's) two southern facilities: Illinois Youth Center (IYC)-Pere Marquette and IYC-Harrisburg. The instant report reflects information obtained from visiting the facilities, as well as IDJJ's input through draft report review.⁴ General themes JHA has observed throughout the IDJJ facilities are also noted in the report.

JHA has continued to observe significant changes throughout all IDJJ facilities as a result of the Remedial Plan, which IDJJ entered into in response to a lawsuit brought the American Civil Liberties

³ "Extended Juvenile Jurisdiction Prosecution" refers to youth who receive both a juvenile and an adult sentence. Upon successful completion of the juvenile sentence, the juvenile's adult sentence is vacated. However, if the juvenile fails to successfully complete his juvenile sentence or commits a new offense, he may be subject to the previously imposed adult criminal sentence. 705 Ill. Comp. Stat. Ann. 405/5-810 (2016). "Felon" refers to youth who were tried and convicted in the adult criminal court, but and are being housed in IDJJ. "Habitual Offender" refers to youth who, upon petition by the State, are found by the court to have been adjudicated delinquent of three serious offenses, as defined by statute, on three prior separate occasions. These youth are committed to IDJJ custody until their 21st birthday. 705 Ill. Comp. Stat. Ann. 405/5-815 (2016).

⁴ IDJJ officials reviewed and fact-checked a draft of this report with JHA in September 2016 prior to publication. The previous JHA monitoring visits to Pere Marquette and Harrisburg were in December 2014. See prior JHA reports at <http://thejha.org/harrisburg> and <http://thejha.org/peremarquette>.

Union of Illinois (ACLU) on behalf of all youth confined in Illinois' prisons.⁵ The Plan requires IDJJ to provide additional educational, mental health and other rehabilitation services; to develop and implement new policies regarding discipline and the provision of services, including limiting the use of confinement and restraints; and to improve youth-to-staff ratios.⁶ These changes are helping IDJJ's transition to be a more rehabilitative, rather than punitive, system. The increased emphasis on rehabilitation was evident during JHA's most recent monitoring visits to the southern facilities. However, the process of wide scale reform is challenging. Further changes and resources are necessary to fully realize the shift to a system that recognizes the differences between youth and adults and cultivates rehabilitation.

This report describes the physical makeup of Pere Marquette and Harrisburg, and focuses on the following issues with respect to the southern facilities: Changes in Youth Population; Staff Numbers and Training; Programming; Facility Engagement and Communication with Youth & Families; Health and Wellbeing; Behavior Management; Education; and Transitioning Back to the Community.

II. THE FACILITIES

IYC-Pere Marquette is a minimum-security step-down facility for male youth located about an hour outside of St. Louis. IYC-Harrisburg is a medium-security facility for male youth located in southeastern Illinois, about 30 minutes from the Illinois-Kentucky border. Harrisburg serves as the southern reception and classification center for IDJJ male youth.

A. Pere Marquette

Recommendation: IDJJ must find resources to provide year-round large muscle physical activity for all Pere Marquette youth.

Pere Marquette is a smaller facility with capacity to house 40 youth, and it is the lowest level security facility in IDJJ. It is the only open, unfenced juvenile facility in Illinois. IDJJ characterizes Pere Marquette as a "step-down juvenile facility totally dedicated to helping youth develop skills necessary to successfully reintegrate back into the community."⁷

Pere Marquette is located in rural Illinois, about five hours south of Chicago, across the road from the Mississippi River. The facility consists of five principal buildings that house administrative offices, school, recreation rooms, youth and family specialists' offices, youth housing units, laundry, a weight room, and dietary. Staff and youth begin the day with morning meetings to review the rehabilitative theme, motivational slogan, and expectations of the day, as well as things that youth are doing well and need to improve. Morning meetings take place in a recreation room that is also used for special lectures, where JHA visitors noted a large fish tank and modern video game consoles. Pere Marquette

⁵ In September 2012, the ACLU of Illinois filed a lawsuit against IDJJ on behalf of all youth confined in IDJJ facilities that alleged unconstitutional conditions and services, including: inadequate education and mental health services, as well as excessive use of solitary confinement. *R.J. v. Jones*, ACLU OF ILL., <http://www.aclu-il.org/r-j-v-bishop22/>.

⁶ See Remedial Plan, *R.J. v. Jones*, No. 12-cv-7289 (N.D. Ill. Apr. 7, 2014) <http://www.aclu-il.org/wp-content/uploads/2013/08/RJ-v-Jones-remedial-plan-entered-4-7-14.pdf>.

⁷IDJJ 2015 Annual Report, p. 26, <http://www.illinois.gov/idjj/Documents/IDJJ%20Annual%20Report%202015.pdf>.

also has a teen center with various recreational offerings, including pool tables, which were already worn although they were recently refurbished.

The grounds of the facility are well maintained and include outdoor basketball courts. However, as noted in previous JHA reports, Pere Marquette does not have an indoor gymnasium. This remains an important need for the facility, as the youth do not have a place to run or play sports at the facility during cold or inclement weather. While the facility has a weight room area, it lacks room for other athletic activity. Administrators reported that gym-time is periodically provided off-grounds with community partners, such as Principia College. Another challenge is that, given Pere Marquette's proximity to the Mississippi River, flooding has occasionally forced staff and youth to temporarily relocate to Alton Mental Health Center for up to 21 days at a time.

Pere Marquette has two living units – A Dorm and B Dorm – each with a capacity to house 20 youth. Youths' cells have the same institutional feel that typifies cells throughout IDJJ facilities, with the exception that Pere Marquette's cells do not include individual toilets. Instead, shared, communal restrooms are connected to each dorm. A key is needed to enter each cell, but cells are generally kept unlocked so that youth can exit and enter freely during the day. At night youth are locked in their cells from 10 p.m. to 6 a.m. It is common for youth to be double-bunked at Pere Marquette. Showers are conducted one room at a time, with two roommates showering at once while supervised by male security staff.⁸

B. Harrisburg

Harrisburg is a larger facility with capacity to house 300 youth. At the time of JHA's visit, it housed 117 boys. Due to Harrisburg's dual function as both a reception and classification center and higher level security facility, it retains traditional adult prison physical plant characteristics such as large, barred doors at entrances and barbed wire.

Youth are housed in buildings B, C, and D.⁹ Youth cells are sterile, institutional, and furnished with either double or single bunks, a toilet, and a sink. In appearance youths' cells are essentially indistinguishable from cells found in adult prisons.

Harrisburg separates youth into housing units in the buildings based on various classification criteria. At the time of the May 2016 visit, Unit 2 served as the Reception and Classification unit, where youth undergo evaluation to determine their security classification, treatment needs, and appropriate parent facility. Unit 3 housed youth that have been identified as having low aggression levels and are preparing to transfer to Pere Marquette, and was also used at times to house youth identified as vulnerable. Unit 4 typically is used to temporarily house youth that have been placed in "time out" due to misbehavior or who require mental health observation. Living Units 5 and 9 housed youth in "general population." Unit 6 housed youth involved in the substance abuse treatment program. Youth that are not in school because they have graduated or received their GED were housed on Unit 7.

⁸ Staff told JHA that if a youth is identified as being vulnerable, he will shower alone.

⁹ At the time of JHA's visit, Building A was vacant. Building B contained three Units, 2-4, in which youth were all single-bunked; these three units were occupied by 6, 18, and 1 youth, respectively. Building C contained Units 5- 8; occupied by 20, 22, 13, 15 youth respectively. Building D contained Units 9- 12. Unit 9 housed 19 youth and Unit 11 housed seven youth. Units 10 and 12 were vacant. Each of these Units contained 25 rooms, some single-bunked and some double-bunked.

Younger youth, age 16 and under, were housed on Unit 8. Finally, Unit 11 was used to house youth that have ongoing behavioral issues.

At the time of the May 2016 visit, Harrisburg administrators reported that the juvenile sex offender (JSO) program and some youth classified as JSOs were going to be transferred to Harrisburg in the near future from IYC-Kewanee.¹⁰ IDJJ officials confirmed that the JSO program was relocated to Harrisburg's Units 5 and 6 as of July 2016. Administrators reiterated that the IDJJ JSO program was retooled upon being relocated to Harrisburg and it now employs more qualified staff. Another change incorporated into the Harrisburg JSO program stems from an August 2016 agreement between IDJJ and community provider, Indian Oaks Academy.¹¹ Pursuant to the agreement, up to six youth at a time who are identified as JSOs may be placed on an authorized absence from IDJJ and housed in a therapeutic, but secure, unit at the community partner's site. The aim is to provide youth who have more intensive mental health issues or cognitive impairments (such as developmental disabilities or autism) with more effective treatment opportunities. JHA will continue to monitor changes in the JSO program provision.

III. CHANGES IN YOUTH POPULATION

Recommendation: Facilities with small juvenile populations and high staffing levels, as exemplified by Pere Marquette, provide youth with greater rehabilitative opportunities. Research shows that large juvenile facilities fail to reduce recidivism, and, may in fact, increase criminality. Sound public policy supports shifting the management of delinquent juveniles from large, state institutions to community-based treatment settings. Illinois' lawmakers should continue to make policies that keep a greater number of justice-involved youth in the community and invest in community-based treatment options in place of juvenile prisons.

Illinois' policymakers, in cooperation with IDJJ leadership, have made significant efforts to reduce the number of youth in Illinois juvenile prisons, in part by keeping youth found guilty of low-level offenses in the community rather than in secure facilities.¹² As of January 2016, youth adjudicated delinquent only of misdemeanors cannot be committed to IDJJ.¹³ Taken together, changes implemented over the past few years have led to a dramatic and sustained reductions in the number of youth in IDJJ facilities, which is a solid indicator of the progress Illinois is making in "right sizing" our juvenile justice system.

A. Pere Marquette

¹⁰ See e.g., Sophia Tareen, *Illinois to close Kewanee youth detention center despite objections*, ASSOC. PRESS (May 10, 2016), <http://www.sj-r.com/article/20160510/NEWS/160519972>; prior JHA reports on the facility, <http://thejha.org/kewanee>.

¹¹ See <https://www.nexustreatment.org/sites/indianoaks/about/index>.

¹² See e.g., former IDJJ Director Candice Jones' Statement on the Proposed Closing of IYC-Kewanee, (Feb. 12, 2016), <http://www3.illinois.gov/PressReleases/ShowPressRelease.cfm?SubjectID=2&RecNum=13496>. ("What we know from national research and other states is that youth do best when we work with them in the most appropriate, least-restrictive setting. For misdemeanants and youth with other low-level offenses, that means partnering with proven, effective non-profits to provide resources and work with youth in their communities. It also means that secure custody in state facilities should be reserved for only the highest risk youth who pose a threat to the community.")

¹³ See Public Act 99-0268.

Pere Marquette has the capacity to house 40 youth. On average, Pere Marquette is at or near capacity, housing 37 to 40 youth.¹⁴ At the time of JHA's May 2016 visit, there were 39 youth at the facility. According to IDJJ, ideally youth would transition to Pere Marquette from other IDJJ facilities approximately 90 days before their release back to the community. However, the average length of stay as of May 23, 2016 was reported to be 120 days. Pere Marquette staff screen and interview youth at Harrisburg via video conference prior to their transfer to the facility and inform them of the expectations and structure of Pere Marquette's program. Youth are sent to Pere Marquette from communities located south of Interstate-80. Lower security male youth from the northern part of the state are to be housed at IYC-Chicago or IYC-Warrenville, which became a co-ed facility in March 2016. To be eligible to be housed at Warrenville, male youth must be 16 or younger, classified as low/medium escape risk, and have an administrative review date (ARD - the earliest date that a youth may be considered for release by the Prisoner Review Board (PRB)) scheduled within three to 10 months.¹⁵

Some Pere Marquette staff believed that reductions in IDJJ's overall population, coupled with efforts to divert low-level offenders from IDJJ custody, have resulted in higher-risk youth being sent to Pere Marquette. Several staff commented that the typical profile of the youth coming to Pere Marquette has changed to include more violent, poorly-behaved youth, and they expressed frustration with the perceived change in the population. Some staff believed that low-risk youth, most appropriate for placement at Pere Marquette, were wrongly being sent to more secure facilities (presumably referring to the placement of minimum-security youth at IYC-Chicago and IYC-Warrenville). At the same time, they felt higher-risk youth needing greater supervision and security improperly were being sent to Pere Marquette, the least restrictive IDJJ facility and the only facility lacking an exterior perimeter fence. According to some staff, essentially two types of youth now come to Pere Marquette: 1) youth who are genuinely excited to be at a low-level facility to take advantage of greater programming opportunities; and 2) youth that view Pere Marquette as a "weak" facility and exploit the greater freedom the facility offers by engaging in disruptive behavior to maintain their "street credibility" or reputation for being tough and aggressive, thereby requiring their transfer back to more secure facilities. Some staff felt uncomfortable working with these higher-risk, "unruly" youth, and had doubts that Pere Marquette was equipped to handle this population, especially given the change in policies within IDJJ limiting use of confinement.

The anxieties related by the Pere Marquette staff are understandable. When broad scale juvenile justice reforms are instituted, staff perceptions about violence often increase relating to stress, lack of consistent information about their role in reform, and feelings of insecurity about their ability to manage and control youth and about their future employment.¹⁶ Systemic reform presents complex issues. On the one hand, research indicates that most delinquent youth, including youth adjudicated of serious or chronic offenses, have a better chance of rehabilitation in small, decentralized community-based treatment settings, versus large state-run facilities. On the other hand, effectively

¹⁴ IDJJ April 2016 Monthly Report, p. 3,

<http://www.illinois.gov/idjj/Documents/April%202016%20Public%20Profile%20Report.pdf>.

¹⁵ At the smaller facilities, like Pere Marquette, PRB hearings can cause dramatic turnovers in facility population, when a large percentage of the facility's youth population is approved for release by the PRB at once, and then other youth are transferred into the facility.

¹⁶ See Professor Alexandra Cox, Ph.D., State University New York, New Paltz, "Juvenile Facility Staff Responses to Organizational Change (October 2013),
<https://faculty.newpaltz.edu/alexandracox/files/2013/10/Staff-responses-to-organizational-change1.pdf>.

transitioning high-risk youth from more punitive, secure-confinement models to integrated community-based treatment models requires extensive teamwork, planning, and staff training.¹⁷

It is unclear whether objective data supports staff impressions that the decreased number of low-risk youth incarcerated in IDJJ has led to an increased concentration of more volatile youth adjudicated of more serious offenses. IDJJ's regular reporting includes some cumulative information about IDJJ's total population broken down by offense type, but this information is not further broken by individual facility. Overall the number of youth committed to IDJJ for serious offenses does not appear to have changed dramatically, with the exception that misdemeanants are no longer committed to IDJJ.¹⁸ In reviewing this draft report, IDJJ officials stated that they have not seen an increase of length of stay for their population, as would be anticipated if more youth were being placed in custody for more serious crimes.¹⁹ IDJJ noted that newer information documenting the offense types and average length of stay of its youth population will be published at the end of the calendar year in their 2016 Annual Report.

JHA strongly supports the goal of keeping low-level youth out of IDJJ facilities. However, with the changing demographics of youth populations in IDJJ facilities, including Pere Marquette, we believe that greater efforts should be undertaken to train staff in managing more aggressive, high-risker youth, and to incorporate and make constructive changes to training and youth management issues based on frontline staff feedback. The issue of Staff Training is discussed more fully in the section below.

B. Harrisburg

Harrisburg has the capacity to house 300 youth. At the time of JHA's visit, there were 117 youth at the facility. This represents a substantial decrease of about one-third of Harrisburg's population since the time of JHA's December 2014 visit when the population was 175.²⁰ Although JHA is pleased to see the continued decrease in youth population at the facility, we believe the size of the population could be further reduced without compromising public safety.

While much attention has been given to keeping youth with low-level offenses out of secure facilities, this same approach can be successfully applied to a wider contingent of justice-involved youth. Prevailing research shows that placing youth in large secure facilities fails to reduce recidivism and, in fact, can undermine public safety by increasing criminal behavior.²¹ Most youth are better served in smaller, community-based settings. Consistent with research and best practices,

¹⁷ See e.g., Shelley Zevlek, *Community-Based Facilities for Violent Juvenile Offenders as Part of a System of Graduated Sanctions*, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, JUVENILE JUSTICE BULLETIN (Aug. 2005), <https://www.ncjrs.gov/pdffiles1/ojjdp/209326.pdf>.

¹⁸ Comparing e.g. IDJJ January 2015 Monthly Youth Profile information by Offense Class, <https://www.illinois.gov/idjj/Documents/Monthly%20Profile%20January%202015.pdf>, to June 2016, <https://www.illinois.gov/idjj/SiteAssets/Pages/Data-and-Reports/June%202016%20Monthly%20Profile.pdf>.

¹⁹ Although most youth have indeterminate sentences, ARDs are projected in part based on committing offense.

²⁰ JHA 2014 Harrisburg Report, p. 1.

²¹ See Barry Holman & Jason Ziedenberg, *The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities*, JUSTICE POLICY INSTITUTE (Nov. 2006), http://www.justicepolicy.org/images/upload/06-11_rep_dangersofdetention_jj.pdf

Illinois should continue efforts to decrease the number of youth in IDJJ secure facilities.²² Further reducing the number of youth in IDJJ facilities would also help to alleviate the problem of higher youth-to-staff ratios, which limit the ability to safely provide youth with needed recreation and programming.²³

In fact, staff at Harrisburg commented on how much easier, more efficient and safe it is to work with youth when they are in smaller groups. Administrators at the facility informed JHA that they also would like to open and use additional housing units to allow for youth to move and work in smaller groups. Unfortunately, because this would require more staff than the facility is authorized to hire, and the addition of the JSO population to Harrisburg as of July 2016 also placed added burdens on existing staff, this goal is currently unattainable.²⁴

IV. STAFF NUMBERS AND TRAINING

Changes continue to be implemented throughout IDJJ in response to the aforementioned 2012 ACLU lawsuit against the Department.²⁵ During JHA's more recent monitoring visits at Pere Marquette and Harrisburg, the effects of the litigation and implementation of the Remedial Plan have become more apparent.

A. Staffing Improvements

IDJJ is authorized to hire a specific number of positions at each facility. Most positions are state positions, although there are a few positions that are contractual. Staffing numbers at both Pere Marquette and Harrisburg have significantly improved since JHA's prior visits and ratios have also improved as IDJJ youth population declines.²⁶

1. Pere Marquette

Most notably, as of May 2016, Pere Marquette had all mental health positions staffed, including a Treatment Unit Administrator (director of the unit), a social worker, and a contractual mental health professional. Additionally, the education department was fully staffed with the exception of a vocational instructor. The education staff included a principal, office coordinator, three general education teachers, three special education teachers and a library associate. This is a vast

²² See generally, *Re-Examination Juvenile Incarceration: High cost, poor outcomes spark shift to alternatives*, The PEW Charitable Trusts (April 2015) ("A growing body of research demonstrates that for many juvenile offenders, lengthy out-of-home placements in secure corrections or other residential facilities fail to produce better outcomes than alternative sanctions."); James Austin et al., *Alternatives to the Secure Detention and Confinement of Juvenile Offenders*, OFFICE OF JUVENILE JUSTICE & DELINQUENCY PREVENTION, JUVENILE JUSTICE BULLETIN, 2-3 (Sept. 2005), <https://www.ncjrs.gov/pdffiles1/ojjdp/208804.pdf> (discussing the "unproven effectiveness of detention and confinement").

²³ See e.g. JHA 2015 IYC-St. Charles Report, p. 2-3 (2016), <http://www.thejha.org/sites/default/files/IYC%20-%20St.%20Charles%20Report%202015.pdf> (discussing issues that large youth facilities encounter).

²⁴ Administrators also commented to JHA that they would like to create a housing unit for those youth who have maintained a high behavioral grade level (an honor dorm), however, staffing numbers and absorption of the JSO population in two housing units, have prevented this from happening as well.

²⁵ See *supra* notes 5 and 6.

²⁶ JHA 2014 Pere Marquette Report, p. 3-4, 7; JHA 2014 Harrisburg Report, p. 3.

improvement from March 2015, when only one teaching position was filled.²⁷ As of May 2016, the staff vacancies at Pere Marquette included a vocational instructor, one juvenile justice supervisor (security supervisor), one juvenile justice youth and family specialist (counselor), and an assistant superintendent of operations.

Of the 77 total staff at Pere Marquette in May 2016, 37 were women and 40 were men. The vast majority of staff, 78%, were white, and the remaining 22% of staff were black. Pere Marquette had a total of 39 security staff.²⁸ The overall youth-to-security staff ratio was 1:975. As is common in all IDJJ facilities, security staff work in three shifts: first shift: 6 a.m. to 2 p.m.; second shift: 2 p.m. to 10 p.m., and third shift: 10 p.m. to 6 a.m. The ratio of youth-to-security staff was better than the litigation mandated minimum of 10:1 during waking hours. IDJJ reported in reviewing this draft report that in May 2016, Pere Marquette security staff ratios averaged 4.2:1 for first shift, 5:1 for second shift, and 6.4:1 for third shift.

2. Harrisburg

At the time of our visit to Harrisburg, most critical staffing positions were filled, including a Mental Health Unit Administrator and a Supervisor of Reception and Classification, a position that had been vacant for several years. However, there were still outstanding vacancies at the time of our visit, including two regular education teachers, one special education teacher, and a library associate.²⁹ However, IDJJ officials reported that even with the teacher vacancies general education student to teacher average ratio for May 2016 was 4.3:1, while the special education ratio was 5.8:1; again, these ratios meet or exceed the requirements of the litigation agreement.

Of the 244 total staff at Harrisburg in May 2016, 89 were women and 155 were men. The vast majority of staff were white (230 staff members, 94% of total staff), 12 staff (5%) were black, and less than one percent (two staff) were listed as other, unspecified ethnicity. Harrisburg had 139 security staff, which included 31 women and 108 men. The ratio of youth-to-security was reported to be better than the litigation mandated minimum, with IDJJ reporting in review of this draft that in May 2016 Harrisburg security staff ratios averaged 3.8:1 for first shift, 3.9 for second shift, and 8:1 for third shift, based on roster reports and actual number of youth in the facility on each day.

B. Staff Training

Recommendation: IDJJ should prioritize expansion of its staff training program to be more hands-on and comprehensive, which will advance successful roll out of new programs and improve staff morale inside the facilities.

²⁷ JHA 2014 Pere Marquette Report, p. 4.

²⁸ Security staff was composed of five juvenile justice supervisors (four white males and one black male), 23 juvenile justice specialists (11 white males, six white females, three black males and three black females), and 11 juvenile justice special interns (four white males, three black males, two white females, and two black females).

²⁹ Other vacancies as of May 25, 2016, included a stationary engineer, office administrator, two account technicians, food service supervisor, and office associate. Since our visit, administration reported to JHA that some positions have been filled or the candidate has been selected.

At the time of JHA's 2016 southern facility visits, staff reported they did not believe the customary staff training program to be particularly effective. JHA has heard similar expressions of staff discontent with training throughout IDJJ. Historically staff participate in yearly training through their facility, known as "Cycle Training." Training includes four modules that cover a range of topics including ethics, searches and contraband, gang awareness, confinement, behavior intervention, sexual abuse and harassment, and mental health. Specifically, these modules review administrative directives and department rules about these topics.

Staff reported, and the training schedule confirmed, that the list of topics covered during the training is very long. Therefore, only a very general, superficial discussion of the topics is provided. Staff at both Pere Marquette and Harrisburg expressed to JHA that the training is covered too quickly and is viewed as something "they have to do" rather than as an actual learning opportunity. Additionally, the topics are covered in a rote way, rather than in a hands-on manner that can be understood and applied in real job situations. There also is no checking in or coaching later in the year to link classroom information to specific on-the-job situations. Staff dissatisfaction with training practices was in line with similar messages JHA received from staff during our prior visits to the southern facilities. Specifically, staff believed that comprehensive on-the-job staff training was vital for successful implementation of reforms, but training opportunities were "often abbreviated due to understaffing and limited resources."³⁰

The need for effective staff training is particularly important given the significant changes to IDJJ policies relating to confinement and youth management resulting from the Remedial Plan. Specifically, IDJJ has initiated a department-wide rollout of Positive Behavior Interventions and Supports (PBIS), which is an approach to "improve a youth's behavioral success by employing non-punitive, proactive techniques."³¹ PBIS reflects a shift from managing youth behavior through punitive, physical interventions like confinement and restraints to using verbal, non-physical interventions and rewards to reinforce positive behavior.³² Using PBIS in place of confinement, while an indicator of progress in that it promotes a rehabilitative approach instead of one that is punitive, is labor and time intensive and puts additional burdens on staff. Any ideological shift in practice is demanding and unanticipated issues often come up as the new practice is being implemented. As a result, staff training and support is critical.

Moreover, job training is not only important for job performance, but also to job satisfaction.³³ Resistance to change is often the result of inadequate training, and staff feeling marginalized,

³⁰ JHA 2014 Harrisburg Report, p. 3.

³¹ IDJJ 2015 Annual Report. ("IDJJ has expanded its use of Positive Behavioral Interventions and Supports (PBIS) statewide as its specific, evidence-based behavior management system.")

³² See Nicholas Reed & Stephanie Lampron, *Supporting Student Achievement Through Sound Behavior Management Practices in Schools and Juvenile Justice Facilities: A Spotlight on Positive Behavioral Interventions and Supports (PBIS)*, NAT'L EVALUATION & TECHNICAL ASSISTANCE CENTER FOR CHILDREN & YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK, 5-6 (Dec. 2012), <http://www.neglected-delinquent.org/sites/default/files/docs/SupportingStudentAchievement.pdf> (discussing challenges of implementing PBIS in juvenile justice facilities).

³³ Steven S. Schmidt, *The Relationship Between Satisfaction with Workplace Training and Overall Job Satisfaction*, 18 (4) HUMAN RESOURCE DEV. QUARTERLY 481, 484 (2007), https://www.researchgate.net/profile/Steven_Schmidt5/publication/227657996_The_Relationship_between_Satisfaction_with_Workplace_Training_and_Overall_Job_Satisfaction/links/54ad66e70cf2828b29fc7ede.pdf.

undervalued, and disengaged from the reform process.³⁴ Training and opportunities for staff to provide input are important to prevent staff burnout, which research shows is reduced when staff feel supported and valued by administrators.³⁵ JHA continues to encourage IDJJ to revisit staff training programs to include hands-on learning techniques as well as follow up trainings, on-the-job mentoring, and coaching.³⁶

In reviewing an earlier draft of this report, IDJJ reported that ongoing staff trainings have been enhanced to include more informal and formal coaching, with specific coaches hired to train staff in PBIS, Crisis Prevention Institute (CPI) and Youth Assessment and Screening Instrument (YASI) implementation. IDJJ stated that at Pere Marquette the Chief of Security has conducted physical CPI de-escalation training for a majority of staff, the Superintendent and Assistant Superintendent of Programs have been observing staff interactions with youth and giving them coaching and feedback, staff have received Prison Rape Elimination Act (PREA) training, and cultural sensitivity training from the Anti-Defamation League. In September 2016, IDJJ reported Pere Marquette staff will receive training from Southern Illinois University Edwardsville on Lesbian Gay Bisexual Transgender Queer (LGBTQ) issues and some staff will receive training from the Illinois Department of Human Rights on Civility and Bullying in the Workplace. At Harrisburg, IDJJ reported that the facility is piloting a program where Juvenile Justice Supervisors have one-on-one meetings with their staff twice per month to address questions and issues and provide feedback on job performance. Topics covered include performing room checks, facility schedules, count procedures, restraints, CPI, PBIS, and PREA, among others. Further IDJJ reported that the agency has been providing ongoing use of force training to staff at all facilities, starting with IYC-St. Charles. JHA looks forward to observing the new, more interactive training programs and to the impact additional training opportunities will have on facility functioning and culture.

³⁴ See, e.g., Alexandra Cox, *Juvenile Facility Staff Responses to Organizational Change*, STATE UNIVERSITY OF NEW YORK AT NEW PALTZ, (Oct. 2013), <https://faculty.newpaltz.edu/alexandracox/files/2013/10/Staff-responses-to-organizational-change.pdf> (documenting that while many front-line staff in New York's juvenile justice facilities were "deeply invested" in embracing rehabilitative changes, most staff felt that they were not allowed to "meaningfully participate in reform" and that their critical role in organizational change was ignored).

³⁵ See Brett Garland, *The Impact of Administrative Support on Prison Treatment Staff Burnout: An Exploratory Study*, 8(4) THE PRISON JOURNAL 452 (December 2004) (discussing research regarding the effects of staff burnout in the prison system); Eric G. Lambert, et al, *The Consequences of Emotional Burnout Among Correctional Staff*, SAGE OPEN (June 15, 2015), <http://sgo.sagepub.com/content/5/2/2158244015590444> (reviewing and expanding upon research regarding emotional effects of staff in the prison system, which include physical illness and turnover).

³⁶ Additionally, a fiscal year 2014 compliance report by the Illinois Auditor General found that IDJJ facilities were deficient in ensuring and documenting that all staff received necessary training, and recommended that IDJJ "[a]llocate sufficient resources to comply with the Department's [Administrative Directive 03.03.102] to document and ensure employees receive the required training to enable them to perform their specific job duties." STATE OF ILLINOIS DEP'T OF JUVENILE JUSTICE COMPLIANCE EXAMINATION 45 (June 30, 2013), <http://www.auditor.illinois.gov/Audit-Reports/Compliance-Agency-List/Corrections/DOJJ/FY14-DOJJ-Comp-Full.pdf>.

V. PROGRAMMING

Providing youth with pro-social activities is critical to advancing “the development of adolescents and the factors that facilitate their successful transition from adolescence to adulthood,” also known as positive youth development.³⁷ Supported by scientific research, positive youth development focuses on the strengths and resilience of youth versus only the management of risk factors, by “breaking down barriers to opportunity and provid[ing] positive roles and relationships for all youth, including the most disadvantaged and disconnected.”³⁸ Due to the differences in security level and population size, the programming offered at Pere Marquette is vastly different than at Harrisburg.

A. Pere Marquette

Recommendation: In order to fulfill its purpose as a step-down program, all youth at Pere Marquette should participate in community re-integrative opportunities.

An essential element of a step-down facility is to provide youth with community-based experiences. Pere Marquette aims to fill this need in part through its collaboration with Lewis & Clark Community College to offer the YouthBuild program to some youth housed at the facility.³⁹ YouthBuild is a national program that endeavors to break the cycle of poverty by targeting low-income youth from ages 16 to 24 and providing them with programming focusing on education, employment and job readiness.⁴⁰ The program offered at Lewis & Clark can include trainings related to GED preparation and completion, pre-apprenticeship certification training (PACT),⁴¹ OSHA 10 (construction) training,⁴² and First Aid/CPR.

The YouthBuild program at Lewis & Clark occurs at the college site from 8 a.m. to 4 p.m., Monday through Friday. At the time of our visit, there had recently been an incident where a youth left the grounds of the program and as a result, a staff member from Pere Marquette now attends with the program with youth.⁴³ Youth who participate receive \$100 a week and may graduate from the program with \$1,500. IDJJ reported that these youth are additionally eligible for a \$1,400 tuition scholarship from AmeriCorp for completing the program. The program generally includes three classes that begin a few weeks apart with a cap of 25-30 participants in each class serving targeted communities. Due to these restrictions, only a few youth from Pere Marquette can participate in each cohort. An additional barrier to participation in this program is the length of the YouthBuild program,

³⁷ Jeffrey A. Butts et al., *Positive Youth Justice: Framing Justice Interventions Using the Concepts of Positive Youth Development*, COALITION FOR JUVENILE JUSTICE, 9 (2010), <https://positiveyouthjustice.files.wordpress.com/2013/08/pyj2010.pdf>.

³⁸ *Id.* at 9-10 (describing research supporting positive youth development).

³⁹ *YouthBuild*, LEWIS & CLARK COMMUNITY COLLEGE, <http://www.lc.edu/Youthbuild/>.

⁴⁰ *What We Do*, YOUTHBUILD, <https://www.youthbuild.org/what-we-do>.

⁴¹ “HBI’s pre-apprenticeship training programs provide training and placement services to individuals seeking a career in the building trades.” *Pre-Apprenticeship Certification Training (PACT)*, HOME BUILDERS INSTITUTE, https://www.hbi.org/Portals/2/Files/Fact_Sheets/HBI_PACT%204.pdf.

⁴² *Outreach Training Program*, OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION, U.S. DEP’T OF LABOR, <https://www.osha.gov/dte/outreach/>.

⁴³ The administration informed JHA that the youth that left the grounds of the program was transferred to another more secure IDJJ facility.

14 weeks – more than 90 days. Understandably, youth at Pere Marquette are eager to return to their communities and do not want to extend their stay at the facility to await admission to and completion of the program. At the time of JHA’s May 2016 visit, the facility reported that two youth had participated in cohort 1 and had just graduated from the program, three youth were in cohort 2, and six youth were in cohort 3. Administrators reported that one graduate of the YouthBuild program is now working in auto maintenance in the community. IDJJ also reported in draft review that Pere Marquette had recently partnered with Lewis & Clark to place youth in its Highway Construction Maintenance Program, with the first youth beginning the program August 31, 2016. IDJJ reported that youth who complete this program are eligible for a job with the Illinois Department of Transportation.

JHA commends Pere Marquette for its efforts to provide youth with job skills and referrals to potential employers. However, JHA recognizes that there is still a need to increase opportunities for youth to receive education and training. The administration at the facility recognized the need to provide more opportunities and mentioned to JHA that they were working on a building a relationship with Lewis & Clark’s Bridge Program, which is a two-week program that allows youth to earn college credits, while also working toward their GED.⁴⁴ Additionally, the staff continues to help youth seek work opportunities in the Alton/Grafton area; however, thus far have not been successful in finding youth employment. Given the mission and purpose of Pere Marquette as a step-down facility, all youth at the facility should be participating in programming that will increase their success when they return to the community, including employment opportunities, certificate completion, and life skills programs.

In addition to the above community re-integrative opportunities, Pere Marquette provides prosocial activities both on and off campus. In April 2016, just prior to JHA’s visit, the facility had hired a Leisure Time Activity Specialist, who, along with other staff, is tasked with organizing many of these opportunities. The facility reported that off campus activities include attending church on Sunday, swimming, movies, meals, bowling, shopping, adopt a highway (picking up trash), and fishing. These activities are often rewards for youth that obtain and keep high behavioral levels. Additional programming on campus includes a monthly cookout.

B. Harrisburg

Recommendation: Harrisburg should strengthen its collaboration with community organizations and provide its youth with greater programming and service opportunities.

The majority of programming provided at Harrisburg occurs within the facility. Religious programming was quantitatively strong and was provided weekly for each living unit. Tutoring is also available for Harrisburg youth and is provided by Jumpstart, a volunteer service program through the Literacy Volunteers of Illinois.⁴⁵ Tutoring services are provided throughout the school day in the library. At the time of JHA’s visit, there was only one tutor onsite, other than the permanent tutor/director, down from four.

⁴⁴ *Bridge Programs*, LEWIS & CLARK COMMUNITY COLLEGE, http://www.lc.edu/Bridge_Programs/.

⁴⁵ *Jumpstart at the Illinois Youth Centers*, LITERACY VOLUNTEERS OF ILLINOIS, http://lvillinois.org/jump_start_at_the_icyc.aspx. This program is also offered at IYC-St. Charles and IYC-Warrenville.

A unique offering at Harrisburg is the “Fast Foods” training program where youth are taught to prepare food, take orders from staff, and cook all meals. Unfortunately, vocational certificates are not provided for this program.⁴⁶ The program is led by a culinary arts instructor and is offered Monday, Tuesday, Thursday and Friday. The program is divided into a morning class and afternoon class, with space for three youth in each class. Additionally, the youth in this program prepare and cook the weekly PBIS rewards meals for those youth that have maintained a high behavioral grade. A special bonus of the program is that the youth involved are able to cook and eat what they want. The culinary arts instructor described to JHA the creativity she has seen among the youth in trying new recipes.

Facility administrators reported to JHA that there are opportunities for youth to go off campus. A May 2016 schedule reflected 12 off-grounds outings for four or five youth at a time. Regular outings include various community service opportunities, such as volunteering with area food pantries. There seems to be potential for increased facility/business collaborations and programming opportunities for youth with the City of Harrisburg’s downtown commercial, retail, and entertainment centers.⁴⁷

VI. FACILITY ENGAGEMENT AND COMMUNICATION WITH YOUTH & FAMILIES

Recommendation: IDJJ should standardize the information provided to youth and their families, including youth orientation handbooks, to include up-to-date policies written in easy to understand language to increase communication and improve understanding of the juvenile justice system for justice-involved youth and their families.

IDJJ continues to make strides toward increasing family engagement and communication with youth and families in the juvenile justice system. These steps are in line with research showing the engaging families in the juvenile justice process increases positive outcomes for youth.⁴⁸ Further, providing information to youth and families on how the juvenile justice system functions reduces stress and confusion, and empowers them to assert their rights and voice their concerns.⁴⁹ JHA is pleased to see the different efforts at each facility in this regard, and hopes they continue and expand.

⁴⁶ Harrisburg administration informed JHA in August 2016 that they recently entered contract to provide vocational programs at the facility. *See infra* Section IX regarding education.

⁴⁷ *See City of Harrisburg Website*, Economic Development Update, <http://www.thecityofharrisburgil.com/economic-development>.

⁴⁸ *See Family Engagement in the Juvenile Justice System*, VERA INST. OF JUSTICE, JUVENILE JUSTICE FACTSHEET 5 (Dec. 2014), <http://archive.vera.org/sites/default/files/resources/downloads/family-engagement-juvenile-justice.pdf>; *see also* Sandra Villalobos Agudelo, *The Impact of Family Visitation on Incarcerated Youth’s Behavior and School Performance, Findings from the Families as Partners Project*, VERA INST. OF JUSTICE, FAMILY JUSTICE PROGRAM, ISSUE BRIEF (Apr. 2013) (finding that as visitation frequency increased the number of behavioral issues by youth decreased). “Youth engagement empowers young people to have a voice in decisions that affect them.” *Engaging Youth in Community Decision Making*, Center for the Study of Social Policy, Annie E. Casey Foundation 5 (2007), <http://www.cssp.org/community/constituents-co-invested-in-change/other-resources/engaging-youth-in-community-decision-making.pdf>.

⁴⁹ *See Family Listening Sessions: Executive Summary*, OFFICE OF JUVENILE JUSTICE & DELINQUENCY PREVENTION (July, 2013), <http://www.ojjdp.gov/pubs/241379.pdf> (reviewing results of the experiences of youth and families involved in the juvenile justice system and providing recommendations for improvement); Mary Frances Hill & Jim Frabutt, *What Families Think of the Juvenile Justice System*, PROJECT SAFE NEIGHBORHOODS FACTSHEET, CENTER FOR YOUTH, FAMILY, & COMMUNITY PARTNERSHIPS UNIVERSITY OF NORTH CAROLINA AT GREENSBORO, <https://durhamnc.gov/DocumentCenter/Home/View/753> (summarizing a study by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and the Center for Mental Health

A. Pere Marquette

Recognizing the importance of family contact, Pere Marquette has made efforts to increase family visitation and communication.⁵⁰ Notably and commendably, Pere Marquette proactively recognized a need to expand the persons eligible to visit the youth to include extended or non-blood related family (such as the mother of a male youth's child) and neighbors who also may assist with transportation of family to this somewhat remote, non-public transport accessible facility. Additionally, the facility reports it now will bear the cost of visitors eating a meal at the facility. In addition to regular visiting hours, Pere Marquette has "Family Day" once a month, which serves as a forum to inform parents and families of what occurs at the facility and about youth activities and experiences. At the time of JHA's 2016 visit, the facility reported that 77% of youth are now receiving visits, up from 43% in 2015. JHA commends the facility for its efforts to increase family visitation and looks forward to continued improvement and expansion in this area.

Facility administrators also informed JHA that they have collaborated with churches in the areas where youth are from to create a mentoring program. This program, which is being initiated while youth are in the facility by local area churches, would allow contact between the youth and volunteer mentors from local churches to continue after the youth leave the facility, which is currently prohibited. This adjustment to the traditional security rules, that prohibit contact between a youth and a volunteer once a youth leaves an IDJJ facility, is particularly meaningful as research reveals that the duration of a mentoring relationship or program has significant effects. Specifically, sustained, continuous mentoring relationships have positive outcomes on youth, while short term mentoring relationships that terminate abruptly may have negative impacts on youth.⁵¹ Pere Marquette anticipated the program would launch on September 23, 2016. JHA looks forward to hearing about its implementation at our next visit.

B. Harrisburg

When youth first arrive at any IDJJ facility they go through an orientation process. During this time, youth are provided with a facility-specific Youth Orientation Handbook. This handbook provides youth with rules at the facility, and information about how certain processes work, like school, commissary, and discipline. JHA has reviewed the handbooks from all the IDJJ facilities and has found the Harrisburg handbook to be particularly informative, relatively youth-friendly in its use of terminology, and up-to-date. As stated earlier, an important part of orienting and engaging youth in programming is informing them of facility rules and expectations and opportunities.⁵² There is a

Services finding "frustration over the failure of the juvenile justice system to seek family involvement"); Sarah Cusworth Walker et al., *Juvenile Justice 101: Addressing Family Support Needs in Juvenile Court*, 2(1) OFFICE OF JUVENILE JUSTICE & DELINQUENCY PREVENTION, JOURNAL OF JUVENILE JUSTICE (Fall 2012), <http://www.journalofjuvjustice.org/JOJJ0201/article05.htm>.

⁵⁰ "Involvement of a parent or parent figure who is concerned about their successful development" is critical for health psychological development in youth. *Key Issues: Why We Need Alternatives to Formal Juvenile Justice System processing and Incarceration*, JUVENILE JUSTICE INFO. EXCHANGE, <http://jjie.org/hub/community-based-alternatives/key-issues/>.

⁵¹ See Jean B. Grossman & Jean E. Rhodes, *The Test of Time: Predictors and Effects of Duration in Youth Mentoring Relationships*, 30(2) AMERICAN JOURNAL OF COMMUNITY PSYCHOLOGY 199 (April 2002), <http://www.rhodeslab.org/files/testoftime.pdf>.

⁵² See *Id.* note 48, *Engaging Youth in Community Decision Making*, at 6.

wealth of information in Harrisburg's handbook, and JHA commends the facility for making efforts to present information in an age appropriate, youth-friendly manner. JHA recommends that IDJJ standardize youth handbooks where appropriate to create system-wide consistency. IDJJ reported in response that they plan to do so.

Another effort to facilitate youth engagement at Harrisburg is the creation of a youth council. This group, led by a security staff supervisor, meets monthly. During the youth council meeting, youth can bring up concerns that they may have at the facility. Involving youth in facility policy making can encourage feelings of empowerment, foster leadership skills, and promote youth investment in their treatment and community. Providing youth a venue to voice their thoughts and concerns about the processes that affect them is an important aspect of youth development and youth engagement, conveying to youth that their opinions are valuable.⁵³ JHA is impressed by the efforts of the facility.

In addition to youth engagement efforts, JHA observed through conversations with staff and youth that the mental health staff regularly stay in contact with and speak with youths' family members. It was clear that certain staff members had good rapport with the youth, understood their particular familial circumstances, and used this information to improve trust, communication, and treatment. Staff reported to JHA that Harrisburg wishes to move toward greater collaboration with families and to involve them in staffings (interdisciplinary staff meetings that track each youth's progress). However, instituting these practices has been challenging because each counselor office does not have conference call capacity to accommodate joint youth and family meetings with all necessary parties via phone. JHA believes that these technological barriers to including families in treatment planning should be addressed as soon as possible. Family engagement is an important piece of successful reentry and not including families in the treatment and rehabilitative planning may pose a significant barrier to positive youth outcomes. In draft review, IDJJ reported that they are working on updating the phone system. In the meantime, staff are encouraged to work together to share phones with conference-call capability to involve more families in the process.

VII. HEALTH & WELLBEING

A. School Lunch

Recommendation: IDJJ should monitor the implementation of the National School Lunch Program in its facilities.

JHA was informed during its most recent visits to Pere Marquette and Harrisburg that all of the IDJJ facilities will be participating in the National School Lunch Program. At the time of the May 2016 visits, Pere Marquette was a pilot site for the program. The National School Lunch Program is a federally funded meal program that aims to provide "nutritionally balanced, low-cost or free lunches."⁵⁴ Schools that participate in the program receive cash subsidies from the federal government. While the program is designed to provide nutritional meals based on the latest *Dietary Guidelines for Americans*, several staff at Pere Marquette commented to JHA that they believed the meals were inadequate, providing not enough food to meet the needs of growing adolescents.

⁵³ *Id.* at 9-12.

⁵⁴ *National School Lunch Program Factsheet*, U.S. DEP'T OF AGRICULTURE, FOOD AND NUTRITION SERVICE (Sept. 2013), <http://www.fns.usda.gov/sites/default/files/NSLPSFactSheet.pdf>.

According to the program, the school lunches, in addition to providing more fruits, vegetables and whole grains, must meet age-appropriate calorie minimum and maximums, which for youth in grades 6 through 8 is 600-700 calories, and for those in grades 9 through 12, 700-850 calories.⁵⁵ Administrators clarified that breakfast and lunch are covered by the national standards and have to be certified through the Illinois State Board of Education, and that they must comply with the standards to receive certain funding.⁵⁶

JHA recognizes the financial benefits of the school lunch program, and commends IDJJ for its efforts to increase the provision of healthy foods to the youth. However, JHA also encourages IDJJ and facility administrators to carefully review the implementation of this program and weigh the financial benefits along with the effect on the youth.⁵⁷ IDJJ is in a unique position, compared to other school districts, in that it is responsible for providing all meals to the youth. Administrators stated that although breakfast and lunch must meet the national nutritional and portion size requirements, dinner does not, so the IDJJ Dietician adds more food and dessert for those meals. JHA understands that implementation of a new program is often met with resistance. We recommend that IDJJ closely monitor this program to ensure that youth are well-nourished, as hunger has great impact on youths' behavior, ability to concentrate, and performance in school.⁵⁸

B. Prisoner Rape Elimination Act

Recommendation: IDJJ should improve training efforts regarding the Prison Rape Elimination Act to ensure staff better understand its requirements. The facilities also should continue efforts to be PREA compliant and ensure youth are also appropriately educated.

The Prisoner Rape Elimination Act (PREA) is a federal law requiring that correctional facilities take certain steps to ensure proper prevention, detection, and response measures are in place for incidents of sexual abuse and harassment to promote sexual safety within corrections environments. The requirements of the law are set forth in the PREA Standards.⁵⁹ State governors must certify that their state-controlled correctional facilities are making efforts to meet PREA Standards, including auditing compliance with these Standards, in order to maintain full funding levels of federally-funded State

⁵⁵ *National Standards for School Meals*, SCH. NUTRITION ASSOC., https://schoolnutrition.org/uploadedFiles/About_School_Meals/What_We_Do/Nutrition%20Standards%20for%20School%20Meals.pdf. Recommended daily caloric intake for young males ranges from 2,000 to 3,200 dependent on age and activity level, see <https://health.gov/dietaryguidelines/2015/guidelines/appendix-2/>; Mary Story & Jamie Stang, *Chapter 3: Nutrition Needs of Adolescents*, in GUIDELINES FOR ADOLESCENT NUTRITION SERVICES 21, 27 (2005) http://www.epi.umn.edu/let/pubs/adol_book.shtm (for ages 11-14, 15-18, and 19-24 recommending 2,500, 3,000 and 2,900 calories respectively).

⁵⁶ More information about the program requirements is available at http://www.isbe.net/nutrition/sbn_handbook/toc.htm.

⁵⁷ See Christopher Wanjek, *Are Healthy School Lunch Programs a Waste?*, LIFESCIENCE (Oct. 7, 2015), <http://www.livescience.com/52408-healthy-school-lunch-food-waste.html> (summarizing criticisms of the program).

⁵⁸ See *Facts About Child Nutrition*, NAT'L ED. ASSOC. <http://www.nea.org/home/39282.htm>.

⁵⁹ 28 C.F.R. § 115.351 (2012). For more information about PREA, see the National PREA Resource Center, <http://www.prearesourcecenter.org/about/prison-rape-elimination-act-prea> and the IDJJ PREA webpage, <http://www.illinois.gov/idjj/Pages/PrisonRapeEliminationAct.aspx>.

criminal justice grants.⁶⁰ The first three-year cycle under which all State facilities were supposed to be audited for compliance with PREA ended in August 2016. While IDJJ had made significant efforts over the past few years, including designating an agency PREA Coordinator and PREA Compliance Manager at each facility, and installing more cameras, JHA had concerns regarding facilities' readiness and planning for compliance audits based on interviews and observations, which were conveyed during the May 2016 visits and subsequently in other communications with agency officials.

IDJJ reported that all its facilities' audits were completed with auditor site visits taking place in August 2016, and that the new PREA Coordinator (as of July 2016) had been actively reviewing and continually updating department policies as necessary to comply with PREA requirements. On October 5, 2016, IDJJ's facilities' 2016 audit reports were made publicly available, in which the PREA auditor found each facility met the required standards.⁶¹ JHA commends IDJJ efforts over the past few months in ensuring facilities were audited within the required timeframe and making necessary revisions. We continue to stress the importance of ongoing corrective action and education regarding PREA generally, and reeducation regarding any relevant policy revisions, for both youth and staff.

VIII. BEHAVIOR MANAGEMENT

Pere Marquette and Harrisburg have implemented Positive Behavioral Intervention and Supports (PBIS) as their youth behavior management system. As part of court-ordered reforms in litigation, disciplinary confinement is no longer used as method of punishment for youth.

A. PBIS Behavioral Level System – Providing Clear Expectations

Recommendation: IDJJ should standardize the behavioral level system among its facilities and lay out the information regarding levels and incentives clearly in the materials provided to youth.

Each facility in IDJJ utilizes a behavioral level system to grant privileges to youth that generally includes three levels, with A or 1 as the highest achievement level, B1 and B2 (at some facilities, B level lasts two weeks, denoted as B1 or B2) or 2 as the middle achievement level, and C or 3 as the lowest and most restrictive level in terms of privileges.⁶² Pere Marquette also recognizes a special Gold level, which is reserved for youth who maintain A level behavior and achievement for long periods of time. At Harrisburg, at the time of JHA's May 2016 visits, there were 48 youth on Level 1,

⁶⁰ See Letter from the U.S. Dep't of Justice to Governors (Feb. 25, 2016), http://www.prearesourcecenter.org/sites/default/files/content/fy2016_prea_letter_to_governors.pdf (explaining the requirement of PREA and its tie to federal funding).

⁶¹ Facility specific audit report links are available at <http://www.illinois.gov/idjj/Pages/PrisonRapeEliminationAct.aspx>

⁶² See *Report on the Behavioral Health Program for Youth Committed to Illinois Department of Juvenile Justice*, ILLINOIS MODELS FOR CHANGE BEHAVIORAL HEALTH ASSESSMENT TEAM, 26 (July 2010), https://www.macfound.org/media/article_pdfs/Report_Behavioral_Health_Program_for_Youth_Committed.pdf (describing the behavioral model used during that time at IYC-St. Charles, which is the current model at all IDJJ facilities including Pere Marquette and Harrisburg).

18 youth on Level 2, and 46 youth on Level 3. At Pere Marquette, there were 12 youth on Gold level, 11 youth on A level, 4 youth on B2 level, 7 youth on B1 level and 6 youth on C level.

JHA was told all youth start on Level 2 or B level and their level is adjusted based on points added or deducted based on their behavior and accomplishments. Some youth have expressed to JHA that they felt it was unfair that having achieved a higher level at one facility they were required to start over on a lower level if they transferred. In response to this concern, IDJJ stated during the draft review that this was not actually policy, and instead that youth should keep their level when transferred (absent other behavioral factors), and that this could be corrected for identified youth. Additionally, IDJJ reported they were able to improve their level tracking system to ensure a youth who transferred in the second week of B level (B2) would not inadvertently be defaulted to the first week of B level (B1) if transferred.

Generally, Pere Marquette and Harrisburg have been leaders in IDJJ at implementing PBIS and providing motivating incentives for the youth. Given its small lower-security population, Pere Marquette is generally able to provide a larger variety of incentives and off-grounds activities. However, security designation should not be a barrier to providing various incentives at the facilities. Harrisburg reportedly offers a variety of on-grounds PBIS incentives.⁶³

Detailed descriptions of the level system are set out in each facility's Youth Orientation Handbook. As stated previously, Harrisburg's handbook stands out as one of the better organized and more informative facility handbooks JHA has seen over an extended timeframe. Pere Marquette's handbook appears dated and while it is clear that it includes the relevant information for youth, JHA recommends that Pere Marquette update the presentation of handbook. As noted above, JHA also strongly encourages more uniformity in the quality and manner that information is provided in youth handbooks across the five IDJJ facilities. Focusing on youth handbooks may appear to be a trivial recommendation. However, JHA has observed, and research supports, that justice-involved youth are often alienated, confused, and frustrated because they lack access to simple, practical information on the juvenile justice system and what to expect.⁶⁴ For youth placed in secure facilities, the need for access to information is even greater. JHA recommends that all youth orientation handbooks clearly lay out the privileges connected to each behavioral level in order to increase the understanding of behavioral expectations and results.

⁶³ These include: "Cool in School" once per month for youth with no behavior issues in school; "Completers rewards" twice per month for youth completing classes in school; weekly drawing for incentive tickets or "ice cubes," used for rewards from hygiene items to school supplies to meals; Teen Center and Super Teen Center for youth that show good behavior; periodic activities like track and field day, or cookouts that are behavior incentive based; birthday cake from healthcare to youth having birthdays in the month and showing good behavior; unit based incentives by unit for rewards from staff for certain behavior thresholds met; and ability in school to purchase items with "ice cubes," which are handed out by staff for good behavior.

⁶⁴ See U.S. DEP'T OF ED. & U.S. DEP'T OF JUSTICE, GUIDING PRINCIPLES FOR PROVIDING HIGH-QUALITY EDUCATION IN JUVENILE JUSTICE SECURE CARE SETTINGS, 9 (Dec. 2014), <http://www2.ed.gov/policy/gen/guid/correctional-education/guiding-principles.pdf> (discussing the importance of firm, agreed-upon expectations of acceptable behavior); Karen Stephens, *Clear Expectations Help Kids Behave*, PARENTING EXCHANGE, <http://www.easternflorida.edu/community-resources/child-development-centers/parent-resource-library/documents/clear-expectations-help-kids-behave.pdf>.

Similarly, consequences of poor behavior should be clearly laid out for youth. Harrisburg continues to house youth who act out violently or aggressively in Unit 11, where they receive more intensive individual treatment and group therapy than youth in other units. An administrator stated that only a maximum of eight youth can be in the unit at a time. These youth wear distinctive clothing to distinguish them to staff, and eat on their housing unit. Since JHA's 2014 visit and report, youth in Unit 11 now attend school in the basement of the school building rather than on their housing unit. The administration informed JHA that they were working to change the location of the classroom to be on the main floor of the school building. The length of time youth spend in Unit 11 is generally about four or five weeks before rejoining the general population.⁶⁵ Youth continue to express to JHA that the Unit 11 program is isolating and they are treated poorly by staff, raising questions regarding the therapeutic and re-integrative success of the program.

B. Crisis Prevention and Intervention (CPI) and Confinement

Recommendation: IDJJ should continue efforts to improve staff understanding, increase availability and quality of training, and create processes where staff can feel supported and ask questions regarding Crisis Prevention and Intervention methods in practice.

As part of agreements reached through litigation, IDJJ confinement policies have changed to minimize the use and duration of confinement.⁶⁶ IDJJ defines confinement to include "all situations in which a youth is separated from general population and programming, including medical holds, crisis status, investigative status, and administrative holds."⁶⁷ Youth who are confined still must be provided with "adequate out-of-room time and for regular IDJJ services."⁶⁸ Under the litigation's agreement regarding revised confinement policies, confinement may not be used as punishment, although it may still be used for youth or staff safety, and there are six classifications or bases for confinement:⁶⁹

⁶⁵ For a longer description of Unit 11 at Harrisburg see 2014 JHA Monitoring Report for IYC-Harrisburg, p. 7-8.

⁶⁶ See *Confinement Procedures*, ILL. DEP'T OF JUV. JUSTICE PROCEDURES, Part 2504, subsection B *et seq.*, *R.J. v. Jones*, <http://www.aclu-il.org/wp-content/uploads/2015/04/RJ-v-Jones-IDJJ-confinement-procedures-filed-4-20-15.pdf>.

⁶⁷ IDJJ 2015 Annual Report, p. 9. See *Id. Confinement Procedures*, Section 2504.210 Definitions (for definitions of specific methods of confinement).

⁶⁸ Barry Krisberg, *Progress of the Safety and Welfare Remedial Plan: R.J et al., vs Jones*, <http://www.aclu-il.org/wp-content/uploads/2013/08/RJ-Krisberg-Nov-2015-report.pdf>.

⁶⁹ The six are:

1. Behavioral Hold: Results when a youth violated a department or facility rule, failed to follow instructions of staff, or behaved in a disruptive manner.
2. Extended Behavioral Hold: Results when a youth exhibits or threatens violence, aggressive, or uncontrolled behavior and poses a serious and immediate threat to his or her own safety, the safety of others, or security of the facility
3. Investigative Status: Deputy Director of Operations determines confinement is necessary for the efficient and effective investigation of a major offense.
4. Crisis Status: MHP determines youth should be removed from regular housing or programming for mental health treatment or observation.
5. Administrative Hold: Youth is temporarily being held in a particular youth center.
6. Medical Hold: Ordered by a physician for purposes of medical quarantine, recovery, or observation

In July 2015, IDJJ instituted new confinement policies as required by litigation, changed how the use of confinement was measured, and began publicly reporting this information.⁷⁰ The most common types of confinement at both Pere Marquette and Harrisburg are administrative holds, cool downs, and timeouts.⁷¹ Youth who are on an “administrative hold” can include youth who are temporarily housed at the facility because they are awaiting transfer to the Department of Corrections or to another youth facility; youth from another facility who are temporarily being housed at the current facility for purposes of attending court; or youth awaiting release from IDJJ custody.⁷² By contrast, a “cool down” is a de-escalation technique, which falls under the heading of a behavioral hold. When a youth acts out harmfully or destructively, staff can temporarily remove the youth from programming to another location for a “cool down” to provide the youth with time and space (less than an hour) to regain control of his emotions and behavior while supervised by staff. If a youth is not able to de-escalate after a cool down period, the youth typically is moved to a secure area for a “timeout.” Unlike a cool down, a timeout takes place in a secure location to prevent harm from a youth who is out of control, violent, or aggressive. In a timeout the youth is given additional time to regain emotional control. In some circumstances, the timeout may turn into an “extended behavioral hold” if the youth continues to exhibit more serious aggressive or uncontrolled behavior. Once the youth calms down and no longer presents a threat to himself or others, the youth is reintegrated back into the youth population and resumes his daily schedule.

Crisis Prevention Intervention (CPI) methods recently implemented in IDJJ are being used to transition away from use of confinement and physical restraints. IDJJ stated that all staff will be trained in CPI in 2016.⁷³ CPI uses non-invasive, safe techniques to manage disruptive and assaultive behavior. The goal of CPI is to provide IDJJ staff with tools to de-escalate potentially harmful and aggressive behavior without using physical methods or confinement.⁷⁴ As of our May 2016 visits, at Pere Marquette 20 staff had completed the entire CPI training and 50 staff has completed the majority of the training, but had the physical part of the class left to complete, and at Harrisburg approximately 90% of staff had been trained in CPI. During the visits, some staff stated that while they attended a short training on CPI, once they got on the ground of the facility these techniques are difficult to implement with successful results. IDJJ responded that the agency is rolling out additional use of

IDJJ FORM 0450: CONFINEMENT DECISION FORM, ILL. DEP’T OF JUVENILE JUSTICE, MENTAL HEALTH PROTOCOL MANUAL (APRIL 2016).

⁷⁰ See *IDJJ January 2016 Monthly Report*, ILL. DEP’T OF JUVENILE JUSTICE, p. 7, <http://www.illinois.gov/idjj/Documents/Public%20Monthly%20Report%20-%20January%202016.pdf>.

⁷¹ Although IDJJ could not provide data for all of 2015 or confirm numbers JHA received from facilities in relation visits due to changes in confinement rules and measures after July 2015, and there may be some confusion in how types of confinement have been tallied over time, JHA was told at Pere Marquette during 2015, there were 23 administrative holds, 193 cool downs, and 48 timeouts, and from January through May 2016, there were 14 administrative holds, 18 cool downs and 57 timeouts. At Harrisburg, JHA was told during 2015, administrative holds were used 162 times, cool downs were used 320 times, and timeouts were used 303 times. From January through May 2016, there was 1 administrative, 305 cool downs and 311 timeouts at Harrisburg. In draft review IDJJ noted that the policy on classifying various types of holds is being renegotiated currently and is subject to change.

⁷² See *Confinement Procedures*, ILL. DEP’T OF JUV. JUSTICE PROCEDURES, Part 2504, subsection B *et seq.*, and *R.J. v. Jones*, <http://www.aclu-il.org/wp-content/uploads/2015/04/RJ-v-Jones-IDJJ-confinement-procedures-filed-4-20-15.pdf> (for complete text of confinement procedures).

⁷³ IDJJ 2015 Annual Report, p. 11, stating 425 staff were CPI trained and training would continue through 2016.

⁷⁴ *Id.*

force training, including coaching and more interactive hands-on teaching, as discussed in the above section on Staff Training.

Speaking with staff at both Pere Marquette and Harrisburg revealed similar reactions regarding the use of CPI and the changes to use of confinement, as are required by agreement reached in litigation. Staff expressed feeling a loss of control due to the new policies. They felt that the underlying message was that they could not touch or use physical force with a youth for any reason even to regain control in a dangerous situation. Staff felt they lacked the ability to manage out of control youth because they no longer had adequate tools, namely use of confinement or restraints, to deal with aggressive youth. They felt that the de-escalation techniques that were being employed to replace confinement and restraints were not effective in managing many of the youth. IDJJ responded that staff are instructed to only touch a youth or use force when necessary to protect the youth or others and reiterated that staff training and coaching is being expanded.

For juvenile justice reforms to succeed in IDJJ, it is critical to acknowledge frontline staff's concerns, involve staff directly in the reform process, and deal directly with the anxieties and practical problems that staff experience in instituting reforms. Facility-wide reforms are commonly experienced as confusing, abrupt, and ever-changing by frontline juvenile justice staff and youth alike, which can foster anxiety about the safety of environment and the ability of staff to maintain security and control, and confusion regarding staff roles and job expectations.⁷⁵ Soliciting staff feedback and providing clarity and consistency in training staff on new rules, regulations, procedures, opportunities and protocols are essential.⁷⁶ As reformers, we must also remember that juvenile justice facilities ultimately are not grounded on broad, abstract principles, but on the day-to-day relationships and interactions that occur between youth and frontline staff.

Staff confusion about job roles, uncertainty about rules for managing youth, and lack of confidence in their ability to perform interventions to restore security are perceived by youth, and can negatively impact youth behavior. For example, JHA was told of incidents where youth went out of their way to use profane language or to provoke staff by "getting in their face," knowing that confinement or physical restraints would not be used. Several staff expressed to JHA that they were afraid to use restraints or do a physical intervention with youth to reestablish control because they feared that they would be unfairly investigated and disciplined. Further, some staff stated that they felt that youth reports are investigated more seriously than a report by staff. These staff also felt that they were not supported in their work, and that they constantly had to defend their job performance and actions. Some staff reported that as a result of changes in policy, fights between youth were more common and lasted longer than in the past because staff feared the repercussions of using physical interventions with youth to break up fights.⁷⁷ These observations were echoed by several youth who told JHA that staff often do not intervene in fights between youth.

⁷⁵ See J Alexandra Cox, Ph.D., JUVENILE FACILITY STAFF RESPONSES TO ORGANIZATIONAL CHANGE, State University of New York, New Paltz (October 2013),

<https://faculty.newpaltz.edu/alexandracox/files/2013/10/Staff-responses-to-organizational-change1.pdf>.

⁷⁶ *Id.*

⁷⁷ In 2015, at Harrisburg, there were 204 youth on youth fights, 104 youth on youth assaults, and 27 youth on staff assaults documented. From January to April 2016, there were 62 youth on youth fights, 33 youth on youth assaults and 10 youth on staff assaults at Harrisburg. The reported incidents at Pere Marquette for 2015 and 2016 are significantly fewer, which is understandable given the much smaller youth population and lower level of security. In 2015, there were 11 youth on youth fights, five youth on youth assaults, and two youth on

Additionally, JHA was told that before a de-escalation technique, like a timeout, is implemented, the staff member must fill out paperwork, which is a tedious process that may or may not result in approval. The litigation agreement requires documentation of all uses of confinement and confinement decisions, as well as tracking of when youth enter, continue, or exit confinement. A cool down, which does not require the same approval since is a lesser behavioral hold, not occurring in a secure location, reportedly often does not adequately address the behavior. Therefore, some staff stated that they do not report all youth behavioral incidents that occur.

As stated previously, a shift in culture takes time. However, the frustrations voiced by Pere Marquette and Harrisburg staff echo comments we have heard from other IDJJ facility staff. While the transition to non-invasive techniques is a significant improvement and very much in line with research regarding best practices in behavior management for youth, the frontline staff tasked with implementing new techniques need to be supported by administration and to receive comprehensive training, constructive feedback, and follow up on-the-job coaching. Without this support, it is understandable that staff may resist change and lose faith in the program. Additionally, adolescence is a period when it is normal for youth to test boundaries. If youth are sent inconsistent, mixed messages that they can get away with hostile or destructive behavior it follows that youth will take advantage of the lack of structure.⁷⁸

The challenges in implementing new practices including use of de-escalation tactics such as CPI, and use of PBIS, and the need for better staff training are issues that JHA has raised in prior reports.⁷⁹ JHA continues to support non-violent, non-physical behavior intervention practices. Restraint and confinement are highly problematic ways of controlling youth, and their use is associated with a disturbing amount of abuse and physical and psychological injury to children.⁸⁰ Implementing evidence-based behavioral management and treatment practices will help the Department meet court ordered mandates protecting youths' rights. Based on the concerns expressed by staff and youth, however, JHA recommends that IDJJ focus its resources on: (1) building clear and strong communication strategies to lessen the distance between frontline staff and management and to encourage staff input; (2) clarifying reform plans and goals with frontline staff; and (3) developing professional training models that treat the implementation of reforms as a dynamic process that incorporates staff input, innovation, and on-the-job feedback.⁸¹

staff assaults. From January to April 2016, there were five youth on youth fights, four youth on youth assaults and one youth on staff assaults at Pere Marquette.

⁷⁸ See Lacey J. Hillard et al., *A Positive Youth Development Approach to Bullying: Promoting Thriving and Reducing Problem Behaviors*, in *PROMOTING POSITIVE YOUTH DEVELOPMENT: LESSONS FROM THE 4-H STUDY*, 249, 250 (Edmond P. Bowers et al. eds., 2015). (“[R]isk-taking and testing boundaries are often a part of normal adolescent development: therefore, many positively developing youth sometimes break rules or do things that warrant concern from their parents, teachers, and other adults.”)

⁷⁹ See e.g. JHA 2014 Harrisburg Report, p. 7.

⁸⁰ See Sue Burrell, *Trauma and the Environment of Care in Juvenile Institutions*, Youth Law Center, http://www.nctsn.org/sites/default/files/assets/pdfs/jj_trauma_brief_envirofocare_burrell_final.pdf; Glen Dunlap, Cheryl Ostry, & Lise Fox, *Issues Brief: Preventing the Use of Restraint and Seclusion with Young Children: The Role of Effective, Positive Practices*, University of South Florida (2011), http://challengingbehavior.fmhi.usf.edu/do/resources/documents/brief_preventing.pdf.

⁸¹ See J Alexandra Cox, Ph.D., *JUVENILE FACILITY STAFF RESPONSES TO ORGANIZATIONAL CHANGE*, State University of New York, New Paltz (October 2013), <https://faculty.newpaltz.edu/alexandraco/files/2013/10/Staff-responses-to-organizational-change1.pdf>.

IX. EDUCATION

Recommendation: The provision of vocational programs and certificates should be a matter of top priority at Harrisburg and Pere Marquette in order to help youth to develop job skills and acquire professional certifications that will increase their likelihood of obtaining employment and their reentry success.

In line with the requirements of the litigated agreement, IDJJ aims to provide “both traditional classroom instruction and web-based instruction, individually tailored to students’ needs.”⁸² IDJJ operates School District #428, which is a state certified public school district within the Illinois State Board of Education.⁸³ At both Pere Marquette and Harrisburg, the core content courses are taught online through Pearson Gradpoint.⁸⁴

A significant criticism of the online education system provided at Pere Marquette and Harrisburg is that the teachers at the facilities do not have materials or textbooks that reflect what the students are learning online. The staff at both facilities informed JHA that they do not have an answer key to reference or a “teacher’s edition” of materials. The absence of adequate teaching materials frustrates the ability of teachers to provide youth with quality instruction.

The education program used throughout IDJJ is described as a blended learning model, which uses a combination of learning methods, including traditional face-to-face teaching instruction and web-based learning delivery via computer. Research on the effectiveness of blended learning models with justice-involved youth is still very limited. However, general research supports the proposition that blended learning may enhance the learning process in some settings.⁸⁵ Without necessary materials to support teachers and students, however, it is certain that IDJJ’s ability to successfully implement a blended learning model is severely hindered. Pere Marquette and Harrisburg administrators informed JHA that the issue regarding teachers’ materials is being addressed, and should be resolved when they receive the next updated version of Gradpoint.

An additional criticism that JHA heard with respect to the IDJJ blended learning model is that it lacks a strong writing component. Teachers at Pere Marquette and Harrisburg both informed JHA that essay writing is no longer incorporated into lesson plans. While some teachers work to provide students with supplementary essay writing instruction, this practice is not uniform throughout the facilities.

⁸² Remedial Plan, at 5.

⁸³ School District #428, ILL. DEP’T OF JUVENILE JUSTICE, <http://www.illinois.gov/idjj/Pages/BoardOfEducation.aspx>.

⁸⁴ Gradpoint, PEARSON, <http://www.pearsoned.com/prek-12-education/products-and-services/online-and-blended-learning-solutions/gradpoint/>.

⁸⁵ See Michael and Susan Dell Foundation, SRI, *Blended Learning Report* (May 2014), <http://5a03f68e230384a218e0-938ec019df699e606c950a5614b999bd.r33.cf2.rackcdn.com/MSDF-Blended-Learning-Report-May-2014.pdf>; National Education Policy Center, *New Interest, Old Rhetoric, Limited Results, and the Need for a New Direction for Computer-Mediated Learning* (November 2014), <http://nepc.colorado.edu/publication/personalized-instruction>; U.S. Department of Education, *Evaluation of Evidence-Based Practices in Online Learning A Meta-Analysis and Review of Online Learning Studies* (September 2010), <https://www2.ed.gov/rschstat/eval/tech/evidence-based-practices/finalreport.pdf>.

JHA's observations of IDJJ's school program and conversations with youth and staff at Pere Marquette, Harrisburg, and other facilities support the conclusion that current facility educational programming is not the best way to meet the educational needs of youth. Lack of quality educational options for justice-involved youth is a problem not just in Illinois, but throughout the country.⁸⁶ Education can serve as an especially important protective factor for incarcerated youth by helping them address individual needs, move past previous, negative educational experiences and ultimately prevent future delinquency and crime.⁸⁷ Providing justice-involved youth with quality education is essential to keeping them engaged and enabling them to set realistic long-term goals, including a successful return to school, employment, and community upon release.⁸⁸

Pursuing a high school diploma or GED is important in order for youth to obtain future success in the workforce. However, given that the average age of youth in IDJJ is 17, and the average age of youth on IDJJ Aftercare supervision is 18, and that many of these youth do not have enough credits to graduate and are not prepared to take the GED, there should also be opportunities for IDJJ youth to receive vocational training, professional certifications, and basic job preparedness skills to enable youth to obtain employment and meet their basic needs (food, housing, transportation, etc) by legal means when released.⁸⁹ Administration at Harrisburg informed JHA that they have entered into a contract on of August 1, 2016, with Lakeland College to develop and provide vocational programs, which will provide certificates, in custodial training, culinary arts, and horticulture.⁹⁰ This is a significant step in the right direction and JHA looks forward to seeing increased vocational programming on our next monitoring visit.

A. Pere Marquette

At the time of JHA's 2016 visit, all teaching positions, except one vocational instructor position, were filled at Pere Marquette; these included three regular education teachers and three special education teachers—a significant improvement from our previous visit.⁹¹ In addition, the facility had hired a librarian and an office coordinator. As of May 2016, there were 11 youth in 9th grade, 10 students in 10th grade and five students in 11th grade at Pere Marquette. The remaining 14 students had graduated. In 2015, eight youth received their GED and three youth received their high school diploma at the facility. From January through May 2016, 14 youth received their GED and five youth received their high school diploma. Of the 26 students in school, 14 received special education services and had an Individualized Education Plan (IEP) prior to commitment to IDJJ.⁹² Pere

⁸⁶ U.S. Office of Juvenile Justice and Delinquency Prevention, MEETING THE EDUCATIONAL NEEDS OF SYSTEM-INVOLVED YOUTH, <http://www.ojjdp.gov/programs/commitment120814.pdf>.

⁸⁷ *Id.*

⁸⁸ *Id.*

⁸⁹ See IDJJ 2015 ANNUAL REPORT, p. 2,

<https://www.illinois.gov/idjj/documents/idjj%20annual%20report%2001-04-16%20final.pdf>

⁹⁰ Under the contract, vocational programs will also be provided at IYC-St. Charles.

⁹¹ JHA 2014 Pere Marquette Report, p. 4.

⁹² “An IEP is a written statement of the educational program designed to meet the student's needs and is developed by a team. The IEP includes a detailed description of what will be done to give the student the extra help needed. The IEP will change based on the student's needs—it is like a road map showing where the student is and where he or she is going.” *Chapter 6: Individual Education Program*, ILL. STATE. BOARD OF ED. 33, 34, http://www.isbe.state.il.us/spec-ed/pdfs/parent_guide/ch6-iep.pdf. See also 2016 JHA Chicago

Marquette indicated that there are three regular education classes and one special education classroom, which houses two special education classes as it is a larger space. As of May 2016, the ratio of general education students to teacher was 6.7:1 and the ratio of special education students to teacher was 4.7:1.

With the increased teaching and support staff, school at Pere Marquette was occurring regularly and the facility was receiving records from prior facilities and schools to ensure that the youth were in classes they required for graduation. However, the facility still lacked sufficient educational resources. Specifically, not every classroom has connection to the internet, which makes online schooling impossible for some students. In those classrooms without internet, students work with paper packets and receive direct instruction (the curriculum that was used in IDJJ before the switch to online schooling). This presents a problem and discontinuity for students who were in online classes at other IDJJ facilities before being transferred to Pere Marquette. To ensure continuity and prevent disruption for students' using online education, JHA recommends that IDJJ prioritize upgrading internet capacity throughout its facilities.

B. Harrisburg

At the time of JHA's 2016 visit, all Harrisburg teaching positions were filled, with the exception of two general education teachers and one special education teacher. There were seven special education teachers, one of whom has been on leave of absence since 2012. There were also eight general education teachers. As of May 2016, there were 41 youth in 9th grade, 17 youth in 10th grade, 13 youth in 11th grade, and nine youth in 12th grade at Harrisburg. In 2015, 24 youth received their GED and 56 youth received their high school diploma at the facility. From January through May 2016, 17 youth received their GED and 19 youth received their high school diploma. Of the 80 students in school, 31 received special education services. As of May 2016, the ratio of general education students to teacher was 4.3:1 and the ratio of special education students to teacher was 5.8:1. The principal informed JHA that Harrisburg is able to offer the GED exam onsite and has a 93% passing rate. School staff work with the youth individually, and evaluate and discuss whether the youth would be better served finishing credits for a high school diploma or instead studying to take the GED, depending on the youths' circumstances, and counsel him regarding the decision to take the GED or continue on the high school diploma track.

School is the only time that living units at Harrisburg are mixed together. At all other times, youth participate in activities and groups by housing unit. Therefore, it is understandable that school can be especially hectic, as youth in different units are often eager to speak to each other, and school is their only opportunity to do so. Educational staff informed JHA that in order to address this disruption, classes are allowed to end 15 minutes early so that the youth can talk quietly with each other.

X. TRANSITIONING BACK TO THE COMMUNITY

Recommendation: IDJJ should better prepare the youth in its facilities to be successful upon release by connecting youth to community-based support, and providing youth with a state identification card.

A. PRB Hearings

Most youth who are adjudicated delinquent and committed to IDJJ custody receive an indeterminate sentence, rather than a finite sentence; however, juvenile sentences cannot exceed the maximum sentence that an adult could receive if convicted of the same offense. In general, once incarcerated, youth can be discharged from physical custody in one of two ways; first, by being granted parole by the Prisoner Review Board (PRB); second by “aging out” of the juvenile system upon turning 21. Within the first ten days of a youth’s incarceration, IDJJ issues a formulaic Administrative Review Date (ARD) that is based primarily on the youth's committing offense. The ARD effectively serves as a “projected” parole date for youth, in that it is the earliest date at which youth appear before the PRB for a hearing and determination of whether the youth should be released.⁹³

Discussions with staff at both Pere Marquette and Harrisburg reveal that pending PRB hearings cause disruption at the facilities. Youth exhibit anxiety and are not able to pay attention or complete work. Some youth try to sabotage other youth that may be going home soon. The staff informed JHA that they are aware of these issues and work with the youth by having them see their counselors when their scheduled ARD is approaching. They also try to be cognizant and sensitive to the fact that youth approaching their ARD may be more withdrawn or act out. The specifics of the PRB hearings are not clear and the information available to the public is from 2014.⁹⁴ Due to changes in the law that go into effect January 2017, youth release decisions going forward will be made by IDJJ, not the PRB.⁹⁵ JHA and others have advocated for this change.⁹⁶ JHA will monitor the outcomes and impact of implementing this new release decision making process for youth.

B. Release with Necessary Documents – State ID and Social Security Card

During JHA’s 2016 visit to Pere Marquette we were informed that the facility has been able to provide about a quarter of its youth with a state identification card and their social security card upon release from the facility back to the community. JHA has long advocated for every youth and adult leaving custody to receive state identification upon release. Given that a state ID card is needed to apply for a job, secure housing, and to receive treatment and medical care, successful reentry is not possible without an individual having this vital documentation. Frequently the steps for getting an ID, obtaining the underlying documents (birth certificate and social security card), fees, and transportation to a Department of Motor Vehicles office pose insurmountable barriers for people

⁹³ For a detailed explanation of the ARD process, see ILLINOIS DEP’T OF JUVENILE JUSTICE POLICY BULLETIN: PROJECTING AN ADMINISTRATIVE REVIEW DATE (May 1, 2011), <http://www.dhs.state.il.us/page.aspx?item=58066>.

⁹⁴ STATE OF ILLINOIS PRISONER REVIEW BOARD, 38TH ANNUAL REPORT, JANUARY 1 TO DECEMBER 21, 2014, 14, <http://www.illinois.gov/prb/Documents/FY14%20Annual%20Report.pdf>.

⁹⁵ See SB 2777, <http://www.ilga.gov/legislation/99/SB/PDF/09900SB2777lv.pdf>.

⁹⁶ See e.g. JHA 2014 Pere Marquette Report, p. 11.

leaving prison. As a result, many youth and adults leave prison without access to necessary tools that are critical for successful reentry into the community. JHA hopes that the other IDJJ facilities will follow in these efforts and that Illinois lawmakers will work together to pass legislation to address the barriers to obtaining these critical documents.

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Since 1901, JHA has provided public oversight of Illinois' juvenile and adult correctional facilities. Every year, JHA staff and trained volunteers inspect prisons, jails and detention centers throughout the state. Based on these inspections, JHA regularly issues reports that are instrumental in improving prison conditions.

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