



OFFICE OF THE INDEPENDENT JUVENILE OMBUDSMAN
Illinois Department of Juvenile Justice

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To the Honorable JB Pritzker, Governor of the State of Illinois

To the Honorable Juliana Stratton, Lt. Governor of the State of Illinois

To the Honorable Members of the Illinois General Assembly

Dear Governor, Lt. Governor and Members of the General Assembly,

I am pleased to present the FY2022 Annual Report from the Office of the Independent Juvenile Ombudsman (OIJO) for the Department of Juvenile Justice (DJJ) pursuant to 730 ILCS 5/3-2.7-35. The OIJO functions independently within the Department of Juvenile Justice for the purpose of securing the rights of youth committed to its care. This report summarizes the activities of the OIJO, highlight areas that need to be addressed, provides recommendations to address them, and contains data about issues department-wide and by individual facility for State Fiscal Year 2022.

The OIJO is grateful for the support of the Lieutenant Governor's Office and Governor's Office, as well as the access granted to us by DJJ to continue to identify issues within the Department and make recommendations to address those issues. I look forward to continuing to work with all stakeholders to support our young people and address any and all issues impeding the Department from successfully fulfilling its mission.

Thank you for the continued honor of serving in this capacity.

Respectfully submitted,

Karima Douglas

Acting Independent Juvenile Ombudsperson

Introduction

Reverend Dr. Martin Luther King Jr. is credited with saying “the arc of moral universe is long but bends towards justice.” This phrase comes to mind in juvenile and criminal justice work because all stakeholders know this arc isn’t just bent passively but people have to *do* the bending. Justice requires work. It requires people to think differently, to act outside of just their interest but instead to the benefit of the collective- the community. DJJ, its young people and its staff are a community built on a complex web of harm and the only way to bend in the direction of healing and justice is for the people involved to do the work. The arc is long but nevertheless, there is hopeful evidence of people doing the good work.

This is the annual report submitted by the Office of the Independent Juvenile Ombudsperson (OIJO) to the Honorable JB Pritzker, Governor of the State of Illinois, Honorable Juliana Stratton, Lieutenant Governor of the State of Illinois and the Illinois General Assembly, summarizing the activities done in furtherance of the purpose of the OIJO pursuant to 730 ILCS 5/3-2.7-35. This report covers state fiscal year 2022 (July 1, 2021 - June 30, 2022) the period hereafter known as FY2022.

Office Background

The Office of the Independent Juvenile Ombudsperson was created by statute in 2014. This Office was created as a parallel entity with the Department of Juvenile Justice for the purpose of securing the rights of youth committed to the Department.¹ The Ombudsperson reports directly to the Governor and “may only be removed by the Governor for incompetency, malfeasance, neglect of duty, or conviction of a felony.”² Cases of severe abuse or injury of a youth, serious misconduct by staff, as well as other special circumstances identified by the Ombudsperson must immediately be reported to the Governor and Director of IDJJ.³ The Independent Juvenile Ombudsperson provides an Annual Report summarizing the activities and findings of the Office to the General Assembly and the Governor.⁴

¹ 730 ILCS 5/3-2.7-5

² 730 ILCS 5/3-2.7-15

³ 730 LCS 5/3-2.7-25 (c)

⁴ 730 ILCS 5/3-2.7-35

Duties of the Office of the Independent Juvenile Ombudsperson

- Review and monitor the implementation of rules and standards established by the Department of Juvenile Justice.
- Evaluate the delivery of services to youth.
- Provide assistance to a youth or family who are determined to be in need of assistance.
- Investigate and attempt to resolve complaints when a youth or family is in need of assistance or a systemic issue regarding the provision of services is raised.
- Review and periodically inspect the facilities and procedures of any facility in which a youth is placed.
- Be accessible to and meet confidentially and regularly with youth to inform them about pertinent laws, rules and policies, and their rights.
- Report certain types of serious concerns immediately to the Director of DJJ and the Governor.⁵
- Refer alleged criminal behavior and violations of the State Officials and Employee Ethics Act to the Illinois State Police, and the Executive Inspector General respectively.
- The Ombudsperson is a mandated reporter and reports allegations of abuse and/or neglect to the Department of Children and Family Services Hotline.
- Promote awareness of the Ombudsperson's Office among the public and youth.
- Develop and make available a complaint process for youth and anyone complaining on behalf of a youth.
- Notify the guardian ad litem and attorney, parent or guardian of a critical incident involving a youth and provide a copy of the critical incident report upon request.

Rights of the Office of the Independent Juvenile Ombudsperson

- Review court files of youth.
- Recommend policies, rules, and legislation designed to protect youth.
- Make appropriate referrals.
- Attend internal administrative and disciplinary hearings and advocate for the best interest of youth when necessary.
- Contact or consult with an administrator, employee, youth, parent or expert.
- Have confidential and privileged communication initiated by youth in person, by phone, by mail or any other means at any time.
- Have full and unannounced access to youth and Department facilities at any time.
- Have appropriate meeting space in the facility that preserves confidentiality.
- Participate in professional development and appropriate professional training.
- Receive copies of critical incident reports.

The OIJO has no authority to compel DJJ staff or administrators to change a decision or alter a policy or practice. Rather, the Ombudsperson brings to the attention of DJJ leadership issues involving the rights of committed youth, fairness in the access and application of services, policies and practices and other matters that warrant the Office's involvement.

⁵ 730 ILCS 5/3-2.7-25(c)(1) – (5)

Summary of Activities⁶

Visits

In-person youth facility visits are critical to the work of the OIJO. Over the course of FY2022, the Ombudsperson met regularly with youth in person and virtually via WebEx at each of the five Illinois Youth Centers. Visits often include one-on-one conversations between the OIJO staff and young people on their living units or in small office settings. These visits serve as opportunities for the Ombudsperson to introduce the Office staff, Office roles and responsibilities to new youth shortly after they are admitted to IDJJ. Visits also provide opportunities for OIJO staff to privately learn about and follow-up on issues, inquiries and complaints initiated by phone call or via voicemail. An in-person visit allows for more in-depth conversation between youth, Ombudsperson, facility staff and administrators. During these visits OIJO staff build safe relationships with youth face to face, open the lines of communication for more sensitive issues youth may not be comfortable discussing by phone or in writing, and allows OIJO staff to observe, in real time, the youth's living, working and learning conditions. During FY2022, the OIJO recorded a total of 96 visits (virtual and in-person) to Illinois Youth Centers and made over 1,000 one-on-one contacts with youth. Additionally, the Ombudsperson and Restorative Justice and Community Outreach Manager attended and participated in various special programs at Illinois Youth Centers such as graduation ceremonies, youth performances, restorative justice peace circles and activities.

Calls

Over the course of FY2022, the OIJO recorded a total of 451 calls from youth in IDJJ facilities as well as youth out in communities on aftercare. Youth in DJJ custody and on aftercare, their family members and others calling on their behalf could reach the OIJO by telephone seven days a week. All calls from Illinois Youth Centers remain free, unmonitored, and unrecorded to maintain the confidentiality of the Office. Youth have access to Securus operated phones in common areas of each of their living units. Many of the issues detailed in this report are heard from youth through phone calls and follow-up in-person visits. For the purposes of this report and to limit duplicate statistics, our Office records the number of issues based on our formal and informal inquiries and complaints to the Department rather than how often the issues are discussed with youth by phone or in person.

Complaints

In FY2022, the OIJO filed 10 complaints on behalf of IDJJ youth. Most of the issues reported to the Ombudsperson are addressed informally by referral to Illinois Youth Center administrators or DJJ Executive Staff. Complaints are formal written memos from the Ombudsperson's Office to the IDJJ Director and Executive Staff regarding serious issues that were ongoing and could not be resolved informally, presented a systemic problem and/or a complainant requested that a written complaint be filed. Formal complaints were typically investigated by the Office and discussed with DJJ leadership before they issued a written response. When deemed necessary, complaints are forwarded to and investigated by external entities.⁷

⁶ Please see Appendices A, B and C for more details on the OIJO visits, phone calls and complaints in FY2021.

⁷ Eg. Office of the Executive Inspector General, Illinois State Police, or Illinois Department of Children and Family Services.

What's Good | Progress in FY22

- Changes in Personnel at the OIJO

This year the Ombudsman's Office went through two significant personnel changes. First, Karima Douglas was provisionally appointed as the Ombudsperson following the retirement of Kathy Bankhead at the end of FY2021. Before stepping into this role, she served as the Deputy Ombudsperson since August 2017. Kathy Bankhead was the first and only Ombudsperson for DJJ for 6 years and the hundreds of young people committed to the Department throughout the years benefitted greatly from her steadfast commitment and zealous advocacy. Karima will continue building on the path Kathy cleared for the OIJO. The second change to the Office came in May 2022 when Torey Cohen-Boseman started as the Office's first Restorative Justice and Community Outreach Manager. This exciting new position enables the Office to devote the necessary resources to youth committed to the Department who have transitioned back to the community on aftercare. This position also opens the door for more targeted advocacy and support for the Department's efforts to adopt restorative justice philosophy and practice. Torey comes to the Office with a wealth of personal, professional and academic experience in criminal justice, restorative justice reform, and reentry services. Welcome to the Office, Torey.

- Improved Communication with DJJ

In FY2022, communication between DJJ staff, administrators and executive team members changed for the better. This year the OIJO and DJJ Executive Team agreed to written guidelines for communication between the two organizations. One of the key responsibilities of the OIJO is to amplify the voices (questions, complaints, requests) of the young people in DJJ's care to the people in power who can and should help. The only way to do that effectively is to maintain clear and efficient lines of communication with frontline staff, supervisors, and those in leadership. Most urgent issues and requests are referred to staff by email and these guidelines easily explain to DJJ staff their responsibilities in how and when they should respond to the OIJO and the OIJO is clear on the expectations. Additionally, OIJO staff meet weekly with a DJJ executive team liaison to address potential systemic issues and concerns in real time. All Illinois Youth Center administrators respond to OIJO questions and concerns quickly and thoroughly. What is good and important to report is that there has been a noticeable shift towards more open and positive communication between the DJJ community and the OIJO across the state. While "not all staff," many more staff sought out opportunities to engage with the OIJO proactively, asking questions about what the youth need, how they can partner for progressive reforms and to gain understanding about ways that our roles align in service to the youth. While some may see this Office as an adversarial one where staff are pitted against youth; our efforts have always been to not only promote but model principals of restorative justice. Safety, accountability and radical hospitality are the priorities rather than hierarchy and punishment. More transparent and collaborative communication among the adults in this work is a heartening turn in the right direction.

- Facility highlights: Community-based programming

Young people across the Department benefitted this year from strengthened partnerships with community-based organizations and volunteers. Organizations like New Life Centers, Precious Blood Ministry of Reconciliation and Sky Art provided programming rooted in restorative justice, art/music therapy, and mentoring at IYC St. Charles, IYC Chicago and IYC Warrenville. Youth at IYC Harrisburg thrived in the Lakeland College and spoke especially highly about their culinary skills coursework. Youth not only learned new cooking skills and ate well because of it but were given so many opportunities to serve the people around them with kindness and professionalism. And at IYC Pere Marquette, young people relished the opportunity to participate in Youth Build, an AmeriCorps program that allowed them to go to school in the community, learn transferrable trade skills and earn and save money working all while in custody. In past years and especially during the height

of the pandemic, young people often expressed to our Office their need for more engaging programming outside of school. This year, these programs met some of that need.

- Facility Highlights: Youth Kudos

Young people often reach out to the OIJO for facility transfers and in doing so they highlight the positive attributes of the Illinois Youth Centers. Here are some of the kudos heard in FY2022:

- **IYC Chicago:** Youth recommended Chicago for its programming, teachers, and relatable staff.
- **IYC Harrisburg:** They universally appreciated the trusting and attentive relationships they had with the Harrisburg administrative team as well as the model for honors level privileges.
- **IYC Pere Marquette:** Youth enthusiastically sought out Pere Marquette's relatively peaceful culture and the highly recommended school experience.
- **IYC St. Charles:** Youth spoke highly of the compassionate mentoring relationships they built with the staff ranging from security to leisure time activity and administration.
- **IYC Warrenville:** Youth boasted that their experience with mental health services and youth and family specialist staff were like "family."

What's Bad | Ongoing Challenges in FY22

Most frequent issues raised (by facility)

- **IYC Chicago:**
 - o Facility plant problems (such as: holes in the walls, broken telephones and water fountains, extreme room and shower temperatures) along with delays in repairs or replacements
 - o Unfair and inadequate phone and video visit privileges
- **IYC Harrisburg:**
 - o Staff mistreatment (such as: excessive force, racist bias, improper use of room isolation)
 - o Facility plant problems (such as: extreme room and shower temperatures, broken cable, phones and washing machines)
 - o Peer safety concerns manifesting in frequent fights, assaults and transfer requests
- **IYC Pere Marquette:**
 - o Youth dispute tickets written by staff as false or exaggerated
- **IYC St. Charles-**
 - o Peer safety concerns manifesting in frequent fights, assaults and transfer requests
 - o Peer safety concerns leading to self-imposed room isolation and requests for protective custody
- **IYC Warrenville-**
 - o Youth dispute tickets written by staff as false and discipline as unfairly punitive
 - o Unfair and inadequate phone privileges

Across all five facilities, youth complained throughout the year about not receiving haircuts consistently. Youth, especially at IYCs Harrisburg and Pere Marquette, went months without receiving haircuts because those facilities had to rely on the scheduling and availability of few local volunteers. The OIJO recommended paid contracts with licensed barbers who could be held accountable to a consistent schedule that meets the grooming needs of the all the youth in custody. DJJ moved forward with that process and continue working to secure volunteer or other alternative services in the meantime.

Youth at all facilities complained about feeling unsafe around peers or groups of peers but being forced to live in close quarters with those who bully, assault, and threaten them. Many of the youth fall victim to conflicts rooted in gang violence in the community or loyalties developed in one or more of the Illinois Youth Centers or detention centers they've lived in before. They reached out to the OIJO for help to move to facilities or living units where they thought they'd be safe from these conflicts. But there are practical limits to those moves especially when youth are involved in multiple conflicts and where staff shortages persist across the Department.

Youth also complained to the Office that when they informed facility staff about concerns for their safety due to threats of imminent harm or violence that they were met with indifference or a general lack of urgency. Issues of safety from other youth and complaints about unit/facility assignment have been the most consistent issues raised by youth across DJJ for years. Safety complaints affect every aspect of life for youth in custody- from self-imposed room isolation to fair access to programming, movement from place to place, education, and ultimately, release home. The OIJO has repeatedly recommended a more formal system of protective custody units at each of the Illinois Youth Centers, but the Department declined.

In addition to protective custody, to adequately address youth safety and rehabilitation, DJJ needs to prioritize a cultural shift to restorative justice philosophy and practice. It is difficult enough for young people to feel safe in a carceral setting hours away from home and loved ones. With restorative justice, youth and staff can establish community for themselves rooted in their shared values and dependent on genuine accountability when there's harm. Routine reliance on restorative practices, like peace circles in shared spaces, could allow for youth and staff to express themselves freely (fears and all) and provide a more compassionate method for resolving conflict when it arises.

A persistent challenge critically affecting DJJ youth doesn't originate with staff actions or department policy and it's the delayed placement of youth in residential or foster settings post-release. Every year, including FY22, saw youth sitting in DJJ custody after their target release date or favorable release decision from the Director simply because they didn't have a place to go. Many of these youth are youth under the guardianship of the Illinois Department of Children and Family Services (DCFS) and some youth are in emergency situations where, upon notice of the youth's impending release, a youth's guardian refuses to accept them home. For DCFS youth, this issue is not uncommon and affects young people in county detention centers and hospital settings as well. There is a woeful lack of residential treatment settings for youth in DCFS care, especially for those youth who have specialized needs and require more intensive services. Often these youth are court mandated into these settings but when DCFS is unable to meet that mandate, young people are left to languish in Illinois Youth Centers that despite improvements, compound harm and trauma.

What's Next | The Slow Bend

DJJ is well on its way to its 21st Century Transformation and as DJJ transforms so does its youth population and consequently, the OIJO. The total number of youth in custody remain at all-time lows, with just around 120 youth at the end of FY2022. The relatively low numbers are heartening but also highlight the significant challenges ahead. 1) Young people who are committed now are too often youth with longer commitments and require more intensive services than the Department can provide consistently; 2) While the overall numbers have trended downward, counties continue to commit Black youth at significantly disparate rates- Black youth make up close to 75% of the population; and 3) Staffing shortages interfere with youth safety, education, treatment and overall morale.

Despite these challenges here and on the horizon, the arc is bending towards justice. The root of this Office's optimism is the young people at its core. DJJ's young people, with the support of teachers, therapists, mentors, lawyers, community volunteers and yes, this Office, are becoming their own best advocates. They went on field trips gaining cultural experiences they never thought they would but knew they deserved. They spoke up more this year. They filed thoughtful grievances about their treatment, called meetings and staged protests making demands for what they were entitled to. They sought out resources and asked questions about the law, revolution, and activism. They reached out when their peers were being mistreated and while they risked punishment, they refused to be ignored. While there is nothing ideal about child development in carceral and surveillance settings, this Office will continue to invest in these young people making change for themselves. With the necessary supports and tools, the youth will bend the arc of the moral universe into a more just one.

Appendix A: FY2022 Visits

IYC Chicago

	Date	Number of Contacts
1.	7/29/2021	17
2.	8/13/2021	11
3.	9/2/2021	9
4.	9/17/2021	13
5.	10/1/2021	13
6.	10/14/2021	15
7.	11/4/2021	22
8.	11/12/2021	6
9.	11/18/2021	17
10.	12/7/2021	19
11.	1/12/2022	11
12.	2/4/2022	3
13.	2/23/2022	12
14.	3/10/2022	3
15.	3/18/2022	13
16.	4/7/2022	17
17.	4/22/2022	20
18.	5/2/2022	7
19.	5/6/2022	26
20.	5/17/2022	12
21.	6/8/2022	18
22.	6/16/2022	6
23.	6/23/2022	7
Total Visits		23
Total Youth		297

IYC Pere Marquette

	Date	Number of Contacts
1.	8/24/2021	7
2.	10/5/2021	7
3.	11/10/2021	6
4.	12/14/2021	17
5.	2/9/2022	6
6.	3/10/2022	7
7.	4/27/2022	10
8.	6/2/2022	3
Total Visits		8
Total Youth		63

IYC Harrisburg

	Date	Number of Contacts
1.	7/7/2021	8
2.	7/29/2021	7
3.	8/23/2021	17
4.	10/4/2021	14
5.	11/9/2021	18
6.	12/15/2021	8
7.	2/8/2022	32
8.	3/9/2022	16
9.	4/26/2022	28
10.	6/1/2022	24
11.	6/30/2022	7
Total Visits		11
Total Youth		17

IYC St. Charles

	Date	Number of Contacts
1.	7/21/2021	22
2.	7/27/2021	5
3.	8/18/2021	18
4.	8/27/2021	6
5.	9/1/2021	17
6.	9/9/2021	11
7.	9/16/2021	8
8.	9/29/2021	6
9.	10/8/2021	8
10.	10/21/2021	13
11.	11/3/2021	14
12.	11/11/2021	11
13.	11/17/2021	11
14.	11/30/2021	16
15.	12/9/2021	12

16.	12/21/2021	9
17.	1/13/2022	12
18.	2/1/2022	15
19.	2/16/2022	21
20.	3/3/2022	13
21.	3/16/2022	17
22.	3/29/2022	21
23.	4/13/2022	12
24.	4/21/2022	23
25.	5/9/2022	33
26.	5/18/2022	26
27.	6/9/2022	28
Total Visits		27
Total Youth		40

IYC Warrenville

	Date	Number of Contacts
1.	7/8/2021	1
2.	7/22/2021	4
3.	8/15/2021	3
4.	8/20/2021	11
5.	9/1/2021	7
6.	9/9/2021	8
7.	9/16/2021	10
8.	9/29/2021	14
9.	10/13/2021	8
10.	10/21/2021	10
11.	11/3/2021	9
12.	11/11/2021	4
13.	11/18/2021	12

14.	12/2/2021	15
15.	12/9/2021	10
16.	12/16/2021	17
17.	1/12/2022	13
18.	2/16/2022	21
19.	3/3/2022	10
20.	3/16/2022	10
21.	3/30/2022	8
22.	4/14/2022	16
23.	4/21/2022	14
24.	5/3/2022	16
25.	5/18/2022	12
26.	6/9/2022	13
27.	6/20/2022	9
Total Visits		27
Total Youth		285

Appendix B: FY2022 Phone Calls

Month	Number of Calls
July 2021	12
August 2021	88
September 2021	49
October 2021	26
November 2021	44
December 2021	53
January 2022	39
February 2022	42
March 2022	24
April 2022	5
May 2022	40
June 2022	29
Total Calls	451*

* This number does not completely reflect the total number of calls received by the OIJO in FY22 as some data was lost or mis recorded.

Appendix C: FY2022 Complaint Summaries

July 2021

- Special Treatment and Protective Custody (IYC St. Charles)

October 2021

- Inappropriate Staff Behavior, Administrative Hearing and Grievance Fairness, and Emergency Transfer Process (IYC Pere Marquette)
- Use of Force Incident (IYC St. Charles)
- Due Process: Discipline and Administrative Hearing Process

December 2021

- Staff Mistreatment- Racism (IYC Harrisburg)
- Delayed Release and Mandated JSO Treatment (Department-wide)

January 2022

- Inappropriate Use of Room Isolation and Behavior Holds (IYC Harrisburg)

February 2022

- Staff Mistreatment- Excessive Use of Force (IYC Harrisburg)
- Denial of Food as Punishment (IYC Harrisburg)

April 2022

- Suspension of GED Testing (Department-wide)