

# 2023 Winnebago County Juvenile Detention Center Inspection Report

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## **Executive Summary**

The Department of Juvenile Justice (“IDJJ”) conducted an annual inspection of the Winnebago County Juvenile Detention Center on June 30, 2023, pursuant to 730 ILCS 5/3-15-2(b).

The sections and specific requirements of 20 Ill. Adm. Code 2602, County Juvenile Detention Standards (“County Detention Standards”) noted as non-compliant, are listed in the table below, while specific observations are noted in the following sections of this report. Each section of the report also includes policy and practice recommendations to either gain compliance or move towards best practice. Those recommendations are combined in a second table at the end of the report.

## **Areas of Non-Compliance**

<b>Section</b>	<b>Requirement</b>
2602.90 Mental Health Services	All facilities shall employ or contract with qualified mental health professionals to address the needs of youth identified in the mental health screening, as well as needs that arise during the period of confinement. Services shall meet or exceed the community level of care.
2602.170 Discipline	Room confinement shall not be used for a fixed period of time, but only until the youth is calm enough to rejoin programming without being a risk to the safety of others. . . At no time should room confinement exceed 4 hours without administrators and/or mental health staff developing an individualized plan to address the behavior.
2602.230 Education	There shall be a minimum of five hours of instruction per day.
2602.260 Recreation and Leisure Time	At least one hour of physical recreation and one hour of additional leisure activity shall be scheduled each day.

## **Methodology**

- Interviews Conducted
  - Superintendent
  - 2 Detention Officers
  - Supervisor
  - Nurse Practitioner
  - 9 youth
  - Educator
  - 2 Mental Health Practitioners
  
- Documents Reviewed
  - Youth Grievance Log

- Youth Grievance Procedure
- Youth Orientation Packet
- Sample Youth Files
- Incident Reports
- Use of Segregation Policy
- Dietary Menus
- Confinement Records
- Health Services Contract
- Staff Training Records
- Winnebago Health Department Inspection
- Programming Schedule
- Fire Inspection Report
- Professional Licenses
- School Schedule
- Tornado and Fire Drill Documentation

### **Overview**

The Winnebago County Detention Center is a 48-bed facility located in Rockford, IL. The primary programming space is a large common area that is centrally located between six primary living units (referred to as Pods A-F). There are two additional living areas, one in the intake area that has two youth rooms, and another formerly called the “Segregation” pod (now called “S Pod”) with three rooms. The facility has a gym space just off the primary programming space, and an outdoor recreation area behind the gym. The facility has three classrooms off the main programming area.

On-site review of the facility took place on Friday, June 30, 2023. At the time of the audit, the facility had 38 residents. Three youth were new intakes on COVID-19 quarantine status. The facility was clean. Resident clothing and bedding materials were in good condition.

It should be noted that since the time of the visit, the quarantine process at the facility has changed. Since the start of September, all new intakes are not required to quarantine. Instead, testing and quarantine decision are based on the presence of symptoms.

### **Admission Policy and Procedures**

The Winnebago Juvenile Detention Centers offers 24-hour intake coverage. Intake screenings are conducted by the Winnebago County Assessment Center, which operates in a separate facility. If youth score high enough to warrant detention, intake takes place at the detention center. Youth clothing is stored and documented according to standards. The facility stopped conducting strip searches of youth upon intake in January of 2022 unless there is an individualized reason to do so.

While the facility has yet to undergo a formal Prison Rape Elimination Act (PREA) audit, the facility does have an identified PREA Coordinator and has begun to implement many of the PREA requirements recently added to the County Detention Standards. Youth are assessed via the Risk for Sexual

Victimization tool, and all youth at the facility receive a PREA Orientation via a video. Completion of the orientation is tracked by the PREA Coordinator. All youth were knowledgeable of their PREA rights during youth interviews.

### **Personnel, Staffing, and Supervision**

At the time of the audit, the facility employed 28 detention officers , two administrators, five shift supervisors and an additional supervisor that acts as the PREA Coordinator and manages shifts when necessary. Winnebago County has approved four additional detention officer positions and two new supervisory positions. The starting pay has also been increased to \$41,909 in an effort to attract more applicants.

While the facility was sufficiently staffed on the day of the audit with eight Detention Officers and a Supervisor on duty, there have been occasions in which youth have been confined due to staffing shortages. This is particularly prevalent on the second shift, where both youth and staff shared that there are an average of 5-6 staff present. Staff and youth shared that it is a frequent occurrence that youth are confined for most or all of the second shift on a regular basis, including the evening prior to the audit. One significant process that contributes to this is the manner in which Winnebago County conducts screenings for detention. Winnebago County handles youth screenings for detention differently from all other jurisdictions. As noted above, youth screenings for detention are handled off-site at the Winnebago County Assessment Center in Rockford, IL. Instead of dropping a youth off directly to the detention center, a police officer will drop the youth off at the Intake Assessment Center if a youth is deemed eligible for detention. The Winnebago County JDC staff are required to use two of their shift employees to then pick up the youth from the assessment center, which operates until 9:00pm each evening. This presents a significant barrier to the staffing levels on the evening shift and is directly contributing to the confinement of youth at the facility. In all other jurisdictions, youth are brought directly to the detention center. It is recommended that Winnebago County change this process to do the same in order to eliminate the burden on the facility to utilize two employees to pick up youth. The current practice is directly contributing to confinement of youth in violation of County Detention Standards.

The facility is taking further steps to try and improve staffing coverage, transitioning to a 10-hour workday for detention officers starting in mid-September.

#### **Recommendations:**

- Have community officers bring youth directly to the facility rather than to the Winnebago County Assessment Center when they are approved for detention via the screening process.

### **Detention Programs, Youth Discipline, and Confinement**

Though the token economy system seemed initially promising, in practice its implementation is problematic for many youth. Youth are allowed many opportunities to earn points throughout the day, approximately 400-500 points per day, which can be exchanged for incentives. However, many of these “incentives” are items which are commonly provided for free in other detention facilities. For example,

youth are charged to “rent” a book to read in their rooms. Youth are charged one point a page, with a minimum charge of 200 points for those books under 200 pages. Religious texts are provided without a rental fee. Youth are also charged 150 points to have temporary access to a deck of cards, 150 points to play a video game, and 150 points to access the gym. Snacks range from 100 points to 250 points. Additionally, youth are charged 50 points for a single small serving of hot sauce or ranch dressing.

Facility administration state that this incentive structure prevents youth from damaging property and motivates the youth to do well in the facility. Unfortunately, this process also entails youth waiting to earn points in order to keep themselves occupied, which is especially concerning when the youth report being in their rooms for up to 20 hours a day. It is recommended that the facility rearrange its incentive structure to remove items which youth should have ready access to, such as books, gym time, video game time, access to playing cards, and snacks. Incentives should be provided that are in addition to, not a substitution for, those basic essentials for youth in locked facilities.

The facility does have a formal structure in place to promote strong relationships between staff and youth. Each youth is paired with a “staff advocate.” All Detention Officers act as staff advocates. In that role, staff advocates are encouraged to have daily contact with their assigned youth, help the youth establish goals and complete court reports as necessary. The program is well-established at the facility as all youth interviewed were able to identify their staff advocate. The existence of such a program is an effective way to promote strong relationships, engage employees in decision-making, and promote casework practices in the absence of formal positions.

The facility has also implemented some strategies surrounding the use of consequences at the facility. The new program rollout includes the use of shorter timeouts to address negative behavior. When youth act out, staff utilize de-escalation and re-direction. If a youth remains escalated, they are issued a timeout that can last as short as 15 minutes. In these situations, supervisory staff check on the youth every 15 minutes until the youth demonstrates an ability to return to programming. Youth described the process in the same manner. These specific uses of confinement are within the expectations of the County Detention Standards. The facility does not currently have an effective method for tracking these instances. They do keep a log of youth confinements, but while there are columns for confinement end times, those times are not being logged. The development of such a process would help the facility take the next steps towards reducing confinement.

The facility has taken steps towards self-improvement. However, there are significant improvements still needed. Interviewed youth reported that, as a precaution to disruptive behavior, staff would shut off water access in a cell for an extended period of time, which was enacted to prevent youth from flooding their rooms. Youth reported that when they are in their rooms, their only access to water is through their sink, and shutting water access in one room would impact water access in adjoining cells. As a result, youth reported having their own water access limited because of their neighbor’s behavior. Limited access to water was reported to last several hours, often overnight, and during this time, youth reported that their access to water was only provided after making a request to staff. U.S. National Academies of Sciences, Engineering and Medicine recommends that men consume 3.7 liters (125 ounces) of water a day, while women are advised to drink 2.7 liters (91 ounces). Youth should not be restricted from necessary nourishment, either from food or water, as a precaution to disruptive

behavior. Facility administrators has issued internal directions to staff prohibiting any practice of preemptively shutting off youth water.

In addition to limited water access, several improvements were cited in the 2022 Inspection Report that have yet to be remedied. Despite use of shorter timeouts, the facility continues to utilize long-term confinements for youth, sometimes lasting multiple days. The facility refers to this status as being on the "Redirect Group." Youth are placed on the Redirect Group if they earn multiple rule violations over a period of days. Similar to the 2022 report, there is evidence that relatively minor youth behaviors can earn a youth time on the Redirect Group. Documentation indicated one youth was placed on Redirect Group for "inappropriate comments on the pod," and making comments like "I'm tired of staff telling me what to do. I don't [care] about a violation." While these behaviors might be deserving of some sort of re-direction or minor intervention, they certainly do not meet the criteria for extended confinements according to County Detention Standards. As noted in the 2022 report, the standards for placing youth in the Redirect Group should be revised.

As aforementioned, the facility is also utilizing youth confinement due to some operational challenges. While the facility is sufficiently staffed, some youth are kept separate, either due to formal court orders or youth conflicts, while in the facility. To accommodate, the facility has broken the youth into two groups and rotates recreation time for the groups to prevent youth interaction. While one group is recreating, the other group is confined. Such an action is in violation of the County Detention Standards regarding the use of confinement. Instead, the facility is encouraged to utilize separate programming spaces for the groups to maintain the separation they seek without the use of confinement to do so.

#### Areas of Non-Compliance and Recommendations

- 2602.170 Discipline states: "Room confinement shall not be used for a fixed period of time, but only until the youth is calm enough to rejoin programming without being a risk to the safety of others. . . At no time should room confinement exceed 4 hours without administrators and/or mental health staff developing an individualized plan to address the behavior."
  - Recommendations:
    - End the practice of turning off water to youth rooms as a preventative measure.
    - Develop and implement a process to document supervisory reviews of youth in confinement to include the time of the check, start and end times of the confinement, youth behaviors that justify maintaining the confinement, and steps taken to de-escalate the youth.
    - Eliminate the reliance on confinement for youth on the "Redirect Group" status.
    - When splitting youth into multiple programming groups, utilize separate programming spaces for the groups to maintain the separation they seek without the use of confinement to do so
    - Revise the standards by which a youth is placed on the Redirect Group to only include youth who exhibit egregious behaviors.
    - Revise the "Use of Segregation Policy" to conform to County Detention Standards.
- 2602.260 Recreation and Leisure Time states: "At least one hour of physical recreation and one hour of additional leisure activity shall be scheduled each day."

- Recommendations
  - Adjust schedules to provide at least one hour of gym time for all residents, including youth on the Redirect Group.
  - Develop and implement a method to track youth participation in physical recreation.

### **Medical, Health Care, and Mental Health Services**

Medical and mental health services are provided by the Rockford School of Medicine. Nursing staff are on-site for approximately three hours in the morning and two hours in the evening. A Nurse Practitioner is on-site twice a week and conducts physicals for youth detained for seven days.

Mental health services are also provided by the Rockford School of Medicine, who subcontracts with Rosecrance Behavioral Health. These services are limited, however. The contract calls for 20 hours of services each week, which is insufficient given the volume of youth population. Psychotherapy is not provided; instead, youth are offered case management services, linkages to psychiatry and medication management, and staff also make referrals to crisis care. Additionally, Rosecrance also conducts court ordered psychological forensic evaluations. Mental health assessments are not being completed for all youth and services plans are not being developed for youth with identified mental health needs.

The facility recently received a grant to assist in providing more mental health services. The grant is intended to cover 70 additional hours of weekly mental health coverage to permit more time for individual and group counseling. While not in place at the time of inspection, one full-time and one part-time Qualified Mental Health Professional (QMHP) were hired shortly thereafter and intend to implement cognitive-behavioral programming and the Seeking Safety trauma-responsive program in October. Another full-time QMHP is slated to start in October as well.

### **Areas of Non-Compliance and Recommendations**

- 2602.90 Mental Health Services states: “All facilities shall employ or contract with qualified mental health professionals to address the needs of youth identified in the mental health screening, as well as needs that arise during the period of confinement. Services shall meet or exceed the community level of care.”
  - Recommendations
    - Provide a mental health assessment for all youth.
    - Develop and implement service plans for all youth with mental health needs.

### **Education**

There are three educators on staff at the facility, all of which are employees of Rockford School District 205. One of the teachers is new, however, and educators reported there were only two teachers present for most of the school year. Two of the teachers have a special education endorsement. There is a strong tracking system that details the IEP needs of special education students, along with assignment completion and communication with youth home schools.

The school day runs from 9am-3pm, with an hour break for lunch. Most classes are taught via direct instruction. Education is offered on a 12-month schedule. Education staff do an excellent job of tracking school attendance each day and have a mechanism that indicates the reasons for any absences, which include absences for institutional reasons (i.e., short staffing), absences due to school district deficiencies (i.e., teacher absences), and absences for behavioral reasons. A review of attendance data showed a pattern of youth missing school due to assignment to the Redirect Group. In one case, a youth only attended school two days in the entire month of May due to “behavioral reasons.” On the day of the audit, nine youth were marked absent due to behavioral reasons. The frequent absences of youth from school due for these behavioral reasons is out of compliance with County Detention Standards.

A third teacher has started with the new school year in September as a long-term substitute. The school district has posted to hire another full-time teacher.

Areas of Noncompliance and Recommendations:

- 2602.230 Education states: “There shall be a minimum of five hours of instruction per day.”
  - Recommendation:
    - Deliver at least five hours of educational services to all youth each day, including those on Redirect Group.

Recommendations

Section	Recommendations
Personnel	<ul style="list-style-type: none"> <li>• Have community officers bring youth directly to the facility rather than to the Winnebago County Assessment Center when they are approved for detention via the screening process.</li> </ul>
Discipline	<ul style="list-style-type: none"> <li>• End the practice of turning off water to youth rooms as a preventative measure.</li> <li>• Develop and implement a process to document supervisory reviews of youth in confinement to include the time of the check, start and end times of the confinement, youth behaviors that justify maintaining the confinement, and steps taken to de-escalate the youth.</li> <li>• Eliminate the reliance on confinement for youth on the “Redirect Group” status.</li> <li>• When splitting youth into multiple programming groups, utilize separate programming spaces for the groups to maintain the separation they seek without the use of confinement to do so</li> <li>• Revise the standards by which a youth is placed on the Redirect Group to only include youth who exhibit egregious behaviors.</li> <li>• Revise the “Use of Segregation Policy” to conform to County Detention Standards.</li> </ul>
Mental Health Services	<ul style="list-style-type: none"> <li>• Provide a mental health assessment for all youth.</li> </ul>



	<ul style="list-style-type: none"><li>• Develop and implement service plans for all youth with mental health needs.</li></ul>
Recreation and Leisure Time	<ul style="list-style-type: none"><li>• Adjust schedules to provide at least one hour of gym time for all residents.</li><li>• Develop and implement a method to track youth participation in physical recreation.</li></ul>
Education	<ul style="list-style-type: none"><li>• Deliver at least five hours of educational services to all youth each day, including those on Redirect Group.</li></ul>