

2022 Inspection Report

WILL COUNTY

JOHN ALBRIGHT

Executive Summary

The Department of Juvenile Justice conducted the annual inspection of the River Valley Detention Center in Will County on March 22, 2022, pursuant to 730 ILCS 5/3-15-2(b).

There were several areas of strength noted, many of which are indicative of juvenile justice best practices. In particular, the volume of medical and mental health services available to youth is exceptional. The facility has 24-hour nursing coverage and enough mental health staff present at the facility to ensure youth needs can be met quickly. The physical quality and cleanliness of the facility is excellent.

While there were some significant strengths noted during the review, there were some areas of non-compliance found. The sections and specific requirements of the County Juvenile Detention Standards, 20 Ill. Admin. Code 2602, (“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. Sections of the report also include policy and practice recommendations when applicable. Those recommendations are combined in a second table at the end of the report.

Areas of Non-Compliance

Section	Requirement
2602.30 Personnel	The agency shall either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with youth or have in place a system for otherwise capturing information for current employees.
2602.40 Records	The agency shall require all staff to report immediately and according to agency policy any knowledge, suspicion or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether it is part of the agency; retaliation against residents or staff who reported an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.
2602.170 Discipline	Room confinement may be used only as a temporary response to behavior that threatens the safety of the youth or others . . . 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. Supervisory staff shall be notified immediately when room confinement is used . . . At no time should room confinement exceed 4 hours without administrators and/or mental health staff developing an individualized plan to address the behavior . . . The use of chemical agents, including pepper spray, tear gas, and mace is generally prohibited. Chemical agents may be utilized when the youth's current behavior indicates that a physical hold or mechanical restraint would be impossible or insufficient to effectively diminish the imminent risk of serious harm.

Methodology

- Interviews Conducted
 - Superintendent McCormick
 - 1 Psychologist
 - 1 Nursing Staff
 - 3 Juvenile Detention Officers
 - 1 Supervisor
 - Program Manager
 - 1 Dietary Staff
 - 9 youth

- Documents Reviewed
 - Policy 9.07 “Restraints”
 - Policy 9.14 “Use of Force (Non-Deadly)”
 - Policy 9.25 “Chemical Agents”
 - Policy 9.28 “Critical Response Team”
 - Policy 10.01 “Achievement Levels”
 - Policy 10.06 “Classification Committee”
 - Policy 10.07 “Disciplinary Segregation”
 - Policy 11.05 “Juvenile Grievance Procedures”
 - 2021 Grievance Log and Grievance Samples
 - Programming Schedules
 - Dietary Menus
 - Behavior Management Training Manual
 - Employee Training Records
 - Fire Department Inspection Report (9/1/2021)
 - Current Staff Roster and Schedule
 - Educator Credentials
 - Fire Drill Records
 - Food Establishment Inspection Report (9/29/2021)
 - Mental Health Staff Credentials
 - PREA Training Curriculum and Records
 - Use of Force Training Materials
 - Resident Handbook
 - Sample Youth Files
 - Sample Employee Files
 - RISE Program Documentation
 - Memorandum of Understanding – Aunt Martha’s
 - 2021 Networking Agreement – Guardian Angel Community Services
 - Collective Bargaining Agreement – Article XI

Overview

The River Valley Detention Center in Will County is a 102-bed facility in Joliet, IL. The facility has two housing pods with five living units in each pod. The on-site portion of this inspection took place on March 22, 2022. At that time the facility had a population of 11 youth (nine males and two females) and employed 25 Juvenile Detention Officers (JDOs) and 10 supervisors (three of which with specialized coordinator duties such as IT, Crisis Response Team (CRT) and training). Only one of the pods was in use.

The physical condition of the facility was exceptional. The facility was very clean and has a good programming space, school classrooms, and indoor and outdoor recreational spaces.

Personnel, Staffing and Supervision

While the facility does have some JDO openings, there is adequate staffing to cover the needs of youth. At the time of the inspection, the facility was staffed with 25 JDOs and 10 supervisory positions, three of which have specialized oversight of training, CRT, and IT. Facility administrators report staffing resources have never fallen to a point that impacted youth programming over the past year, even over the holidays during the state's COVID-19 surge.

Detention Programs, Youth Discipline, and Confinement

The facility utilizes a point a level system to track and manage youth behavior. The facility utilizes four behavior levels that are classified by colors (blue, orange, green, and purple). Youth are provided wristbands to indicate their current behavior level. Privileges for higher levels include later bedtimes and access to a PS4 once per week. Youth can also make purchases from a commissary with points they earn. Items available via commissary include:

- 15 minutes added to a visit
- Writing journal
- Additional 10-minute phone call
- Sports drink
- Playing card rental
- Extra free time
- Extra shower

Youth interviewed were very fluent in the behavior program and reported being motivated by some of the rewards on the highest behavior level, particularly access to the PS4. Multiple youth did express a desire to have more items available for purchase from commissary.

The facility utilizes a classification system for minor and major rule violations to address youth negative behavior. When youth are cited for minor or major rule violations, a classification committee reviews violations via a hearing process and determines sanctions, including confinement. Facility policy 10.06 "Classification Committee" governs this process. That policy states:

“Major rule violations may require a written incident report, resulting in a room detention of 23 hours with a review from CC or 36 hours with reduction to level behavior orientation. Within 23 hours of room detention the CC will determine if the individual needs to be isolated further, at which time the resident will be placed on Disciplinary Segregation.”

Policy 10.07 “Disciplinary Segregation” also refers to use of extended room confinement. It states:

“Disciplinary Segregation is for juveniles committing major rule violations only. Disciplinary Segregation consists of room confinement for a period of 23 hours with one hour out per day.”

Auditors reviewed several pieces of documentation that affirmed the use of confinement lasting 24-36 hours as a regular sanction for youth. There were multiple instances reviewed. Many instances included fairly benign behaviors. In one case a youth received a 36-hour confinement when staff found a pencil and a letter with rap lyrics in his room during a search. In another a youth received a 36-hour confinement for hiding a pencil in his sock. It should be noted that facility leadership acknowledged the need to make changes to the use of confinement at the facility and expressed a vision to do so. Nevertheless, the current use of confinement is significantly out of compliance with County Detention Standards that stipulate room confinement may only be used as a temporary response to behavior that threatens the safety of the youth or others, cannot be for a fixed period of time, and requires an individualized plan for any that last more than four hours.

There are some additional concerns over the standard use of youth confinement for non-behavioral reasons. While the facility is well-staffed from a staff/youth ratio standpoint, youth are confined in their rooms for four hours per day while JDOs take breaks. Article XI of the current collective bargaining agreement states:

“Within each eight (8) hour shift, and ten (10) hour shift, each juvenile detention officer and CRT member, respectively, shall receive a sixty (60) minute break at approximately the middle of the shift. Should the employee choose, such breaks may be taking in “staff only” areas of the facility.”

Youth are confined in their rooms for two hours in the middle of the morning shift and again for two hours in the evening while these breaks are accommodated. This was observed on the day of the inspection. There were five JDOs present, along with a supervisor and several administrative staff for only 11 youth, yet youth were still confined for two hours during the morning staff break times. In total, youth are confined in their rooms for a total of four hours each day for reasons that have nothing to do with their behavior. This practice is also significantly out of compliance with County Detention Standards which stipulate that “[r]oom confinement may only be used as a temporary response to behavior that threatens the safety of the youth or others.”

The facility does have some promising programming to address youth who engage in significant behaviors. The facility has implemented the "RISE Program" for use with youth who need significant behavioral intervention. Youth on this status may be housed separately from other youth but are assigned regular homework to address their behavior. The facility utilizes a screening instrument for placing youth on the program. Youth can be placed on the program at administrator discretion in exigent circumstances, but typically the screening instrument is utilized, and a youth must score into the program. Once a youth is placed in the program, a behavior contract is developed, and a set of assignments and interventions are utilized on a daily basis. On the date of the inspection, there was one youth on this status. The youth had been in the RISE Program for approximately two months. While the length of his involvement in this program is a concern, there was ample documentation showing interaction with facility staff and completion of assignments such as restorative justice exercises and thinking forms. The youth was in his room during the inspection, but his door was open and he had access to his dayroom. The youth reported he had been attending school regularly.

While the use of confinement at the facility is well out of compliance, the existence of the RISE Program can certainly act as a foundation for interventions to replace the overuse of confinement. Given the movement the facility has made with the use of cognitive and restorative intervention, as well as sufficient staffing numbers, the facility is well-positioned to implement changes to behavioral confinement in a timely manner should it be prioritized.

The facility utilizes a Crisis Response Team (CRT) as the primary group to respond to emergency situations. The team utilizes a physical restraint technique developed by Controlled F.O.R.C.E. Professional Services that teaches a set of Mechanical Advantage Control Holds (MACH) based on positioning and momentum. The training manual includes a description of a use of force continuum. The facility ended the use of a restraint chair over the past year, although both policies and training materials still refer to the restraint chair. These policies and training materials should be revised to remove reference to the chair and affirm that use of a restraint chair is prohibited.

The facility permits the use of chemical restraints. Auditors reviewed documentation of chemical restraint events from 2021 and counted 10 uses of chemical restraints during the year based on documentation provided on the day of the inspection. In some of these cases, it appeared that the use of chemical restraints was not justified. In one instance, documentation indicated a youth had refused to take paper down from covering his window and refused a direction to lay on the ground while going into an aggressive posture. Chemical restraints were used to gain compliance. County Detention Standards state, "[c]hemical agents may be utilized when the youth's current behavior indicates that a physical hold or mechanical restraint would be impossible or insufficient to effectively diminish the imminent risk of serious harm." This standard was clearly not met in this case. While facility policies and training materials do describe a use of force continuum, they do not distinguish between the use of physical restraints and chemical restraints in the continuum. These materials should be updated to affirm that the use of chemical restraints may only be utilized when a physical hold or mechanical restraints are impossible or insufficient to address the risk of serious harm.

Areas of Non-Compliance and Recommendations

- 2602.170 Discipline states: “Room confinement may be used only as a temporary response to behavior that threatens the safety of the youth or others . . . 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. Supervisory staff shall be notified immediately when room confinement is used . . . 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:
 - Eliminate the use of fixed confinement as a response to youth behavior.
 - Implement policy that prohibits the use of confinement longer than 4 hours without administrator approval and development of an individualized plan.
 - End the practice of using youth confinement to accommodate staff breaks.
 - Revise Policy 9.07 “Restraints” to remove any reference to use of a restraint chair and prohibit its use.
- 2602.170 Discipline states: “The use of chemical agents, including pepper spray, tear gas, and mace is generally prohibited. Chemical agents may be utilized when the youth's current behavior indicates that a physical hold or mechanical restraint would be impossible or insufficient to effectively diminish the imminent risk of serious harm.”
 - Revise Policies 9.14 “Use of Force (Non-Deadly)” and 9.25 “Chemical Agents” and training materials to affirm the use of chemical agents as a last resort in the use of force continuum.

Medical and Health Care

The amount of medical and mental health resources available to youth is a significant strength for the facility. The facility contracts with Wellpath for medical services. Nursing staff are present 24 hours each day, a physician is available two days per week and a nurse practitioner is available one additional day per week. All youth receive a medical assessment upon intake. Medication is only administered by nursing staff and there is a process for verifying youth medication on intake and obtaining required prescriptions through a physician. The storage process for medication is strong and the medical documentation reviewed was clear and organized. The sick call process is well-established, and youth reported they were able to access medical whenever they need it.

Mental Health Services

The department has six psychologists on staff with two assigned to juveniles. All youth receive a mental health assessment within 72 hours of intake that includes a PREA assessment. The facility utilizes both a long-form and short-form assessment. Any youth that has previous mental health contacts or concerns receives the long-form assessment. The facility utilizes the WRAT (Wide Range Achievement Test), Beck Youth Inventory, Jesness Inventory-Revised, and Personality Assessment Inventory – Adolescent version.

The facility takes a psychoeducational approach to treatment given the short average length of stay. Clinicians meet with youth on the mental health caseload weekly and provide 24-hour on-call coverage. Mental health staff also act as the primary PREA contact and coordinate responses to PREA-related issues.

Youth Grievances

According to submitted documentation, the facility received 19 youth grievances in 2021. Grievances are addressed by supervisory staff and/or facility administrators in a timely manner. Youth seemed fluent in the grievance process and knew where to obtain a grievance form if needed. The facility has a policy specific to the youth grievance process.

The facility is compliant with the County Detention Standards regarding youth grievances, however there are a few recommendations related to the process. The facility policy is short and fairly general. The policy could be revised to be more specific and affirm the timeframe requirements for the different types of youth grievances that are outlined in the County Detention Standards. Administrator responses were conducted in a timely manner but were sometimes logged on a paper log instead of the youth grievance form. These responses are best documented directly on the youth grievance itself. The facility also has tracking form it utilizes to log all youth grievances. This form could be updated to include documentation on the type of grievances, content of the grievance itself, and the content of the response.

Recommendations:

- Revise Policy 11.05 “Juvenile Grievance Procedures” to include more specificity on the grievance process and outline the requirements related to the different types of grievances in the County Detention Standards, such as emergency grievances and/or grievances related to reporting of sexual abuse.
- Include administrator resolution documentation directly on the youth grievance itself.
- Revise the Youth Grievance Log to capture more information, such as the type of grievance, content of the grievance, and resolution.

Education

Educational services are provided by School District 204. The facility has three teachers, two of which are special education certified. There were two teachers present on the inspection date. Youth are administered reading and math assessments upon arrival to the facility. Teachers reach out to youth home schools in order to obtain work for the youth to complete while in detention. The facility has the capability of offering GED testing but there were not any youth enrolled at the time of the inspection. Multiple youth reported positive relationships with teachers at the facility.

Prison Rape Elimination Act (PREA)

The updated County Detention Standards include requirements in several sections related to federal Prison Rape Elimination Act (PREA) standards. The River Valley Detention Center has not sought out a formal PREA audit, but the facility has implemented some of the requirements from the County Detention Standards. All new employees receive the required background check. Youth are administered a Risk for Victimization Screening upon intake in a manner consistent with standards and there is ample documentation showing employees have received training on PREA.

There are several PREA-related portions of the County Detention Standards the facility has yet to implement. Standards require that all employees receive background checks at least every five years during employment. While the facility does perform background checks on new employees, they have yet to implement the five-year requirement for existing employees. County Detention Standards also require that a PREA orientation be provided to all youth during intake. The facility has not implemented this either, and several youth who were interviewed reported having no idea what PREA is. The Resident Handbook is detailed in many areas of facility operations but was last revised in 2013 and contains no reference to PREA standards. The manual should be updated to include youth rights related to PREA and ways a youth can make a report. The facility also does not have a specific PREA policy that outlines response procedures for reports or suspicion of sexual victimization.

Areas of Non-Compliance and Recommendations

- 2602.30 Personnel states: “The agency shall either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with youth or have in place a system for otherwise capturing information for current employees.”
- 2602.40 Records states: “The agency shall require all staff to report immediately and according to agency policy any knowledge, suspicion or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether it is part of the agency; retaliation against residents or staff who reported an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.”
 - Recommendations:
 - Complete background checks on all employees who have worked at the facility for five years or more.
 - Develop and implement the required PREA Orientation for all youth during intake.
 - Update the Resident Handbook to include an overview of youth rights related to PREA and identify ways to make a report without the risk for retaliation.
 - Develop a PREA-specific policy that outlines response procedures for staff for reports or suspicion of sexual victimization.

Recommendations

Section	Recommendations
Personnel	<ul style="list-style-type: none"> • Complete background checks on all employees who have worked at the facility for five years or more.
Admission Procedures	<ul style="list-style-type: none"> • Develop and implement the required PREA Orientation for all youth during intake. • Update the Resident Handbook to include an overview of youth rights related to PREA and identify ways to make a report without the risk for retaliation. • Develop a PREA-specific policy that outlines response procedures for staff for reports or suspicion of sexual victimization.

Discipline	<ul style="list-style-type: none"> • Eliminate the use of fixed confinement as a response to youth behavior. • Implement policy that prohibits the use of confinement longer than 4 hours without administrator approval and development of an individualized plan. • End the practice of using youth confinement to accommodate staff breaks. • Revise Policy 9.07 “Restraints” to remove any reference to a use of a restraint chair and prohibit its use. • Revise Policies 9.14 “Use of Force (Non-Deadly)” and 9.25 “Chemical Agents” and training materials to affirm the use of chemical agents as a last resort in the use of force continuum.
Youth Grievances	<ul style="list-style-type: none"> • Revise Policy 11.05 “Juvenile Grievance Procedures” to include more specificity on the grievance process and outline the requirements related to the different types of grievances in the County Detention Standards, such as emergency grievances and/or grievances related to reporting of sexual abuse. • Include administrator resolution documentation directly on the youth grievance itself. • Revise the Youth Grievance Log to capture more information, such as the type of grievance, content of the grievance, and resolution.