

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

R.J., et al.)	
)	
Plaintiffs,)	
)	Case No.: 12-cv-07289
vs.)	
)	Hon. Matthew F. Kennelly
)	
CANDICE JONES,)	
)	
Defendant.)	

**DEFENDANT’S SUBMISSION OF POLICIES PURSUANT TO
PARAGRAPH I(3) OF THE REMEDIAL PLAN**

Defendant Candice Jones, Director of the Illinois Department of Juvenile Justice (“DJJ”), by her attorney, Lisa Madigan, Attorney General of Illinois, submits the attached policies for the Court’s review and approval.

1. The remedial plan in this case (Dkt. No. 73) requires the DJJ to develop certain policies. For each such policy, paragraph I(3) of the plan requires the DJJ to provide a draft to the court-appointed experts and plaintiffs’ counsel at least 30 days prior to the deadline specified in the plan, consider in good faith any proposed revisions and meet and confer upon request, submit the policy to the Court for its review and approval, and implement the policy.

2. Pursuant to the remedial plan and related court orders, policies addressing ten topics are due on October 20, 2014: individualized mental health treatment plans and coordination of treatment (Dkt. No. 73 at II(6)), group therapy for youths in reception and classification units (II(9)), alternative educational programming for youths in reception and classification units (III(1)(b)), substitute teachers (III(4)), confinement and restricted

movement (IV(1)), confinement liaison (IV(2)), confinement conditions (IV(3)), individualized youth development plans (V(3)), limits on mechanical restraints (V(9)), and general programming (V(10)).¹

3. In compliance with the remedial plan and related court orders, DJJ submits Exhibits A to J. These exhibits include the required policies (plus some additional sections which are not due under the plan, and which are not submitted for court review and approval, as indicated in the chart below). The chart indicates which of these policies are new and which are modified from existing policies. For the policies which are modified from existing policies, DJJ has attached redlined versions showing what changes were made.

¹ DJJ filed the policies required by Parts II(9) and III(1)(b) of the remedial plan on August 1, 20104 (Dkt. No. 87), but the Court deferred approval to permit the parties to discuss the addition of one sentence requested by plaintiffs' counsel. The sentence has been added and DJJ now requests approval of these policies (Exhibit B). The other policies attached hereto were initially due on October 6, 2014 (180 days from entry of the plan), but the parties obtained a 14-day extension. (Dkt. Nos. 93, 97) Finally, by November 5, 2014, DJJ will provide a draft special education policy (Part III(8) of the plan) to plaintiffs' counsel and the court-appointed monitors (Dkt. Nos. 95, 87), and will file the policy 30 days thereafter.

Remedial Plan Requirement	Relevant Exhibit(s)
Policy re individualized mental health treatment plans and coordination of treatment (II(6))	Exhibit A (NEW) (AD 04.04.101, Non-Emergency Mental Health Services)
Policy re group therapy for youths in reception and classification units (II(9)) and alternative educational programming for youths in reception and classification units (III(1)(b))	Exhibit B (NEW) (AD 05.07.102, Reception Status for Youth), <i>only parts II(G)(6-9) and H</i>
Policy re substitute teachers (III(4))	Exhibit C (NEW) (IDJJ School District Board Policy 5:220, Professional Personnel – Substitute Teachers)
Policy re confinement and restricted movement (IV(1))	Exhibit D (NEW) (Proposed Rule 20 Ill. Admin. Code 2504.30 <i>et seq.</i>)
Policy re confinement liaison (IV(2))	Exhibit E (NEW) (Policy/Procedural Bulletin 046, Confinement Liaison)
Policy re confinement conditions (IV(3))	Exhibit F (NEW) (Proposed Rule Ill. Admin. Code 2502.205 <i>et seq.</i> , Clothing, Bedding, Linens, and Room Conditions) Exhibit G (AD 05.02.140, Safety and Sanitation Inspections) (no changes from existing AD in effect since 2013)
Policy re individualized youth development plans (V(3)) and general programming (V(10))	Exhibit H (REVISED) (AD 04.01.130, Programs and Case Management)
Policy re limits on mechanical restraints (V(9))	Exhibit I (REVISED) (AD 05.01.126, Security Restraints) Exhibit J (REVISED) (Proposed Rule 20 Ill. Admin. Code 2501.105 <i>et seq.</i> , General Security), <i>except for Section 2501.120</i>

4. The DJJ provided (earlier drafts of) Exhibits A to J to the court-appointed experts and plaintiffs' counsel, as required by the plan and related court orders. The DJJ has considered the proposed revisions in good faith, and the parties and experts have met and conferred regarding the proposed revisions. The DJJ respectfully requests court approval of the relevant sections of Exhibits A to J.

Dated: October 20, 2014

LISA MADIGAN
Attorney General of Illinois

Respectfully submitted,

/s/ Michael T. Dierkes

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Counsel for Defendant

Illinois Department of Juvenile Justice		ADMINISTRATIVE	Number	04.04.101
		DIRECTIVE	Page	1 of 6
			Effective	DRAFT
Section	04	Programs and Services		
Subsection	04	Mental Health		
Subject	101	Non-Emergency Mental Health Services		

I. POLICY

A. Authority

730 ILCS 5/3-2.5-20

20 Ill. Adm. Code 2415

B. Policy Statement

The Department of Juvenile Justice shall provide youth mental health services as clinically indicated.

II. PROCEDURE

A. Purpose

The purpose of this directive is to define the responsibilities of those employees involved in the provision of mental health services to youth.

B. Applicability

This directive is applicable to all youth centers within the Department.

C. Facility Reviews

A facility review of this directive shall be conducted at least semi-annually.

D. Designees

Individuals specified in this directive may delegate stated responsibilities to another person or persons unless otherwise directed.

E. General Provisions

1. Receipt of mental health services shall be voluntary, unless otherwise clinically indicated.
2. The Chief of Mental Health shall develop and maintain a Mental Health Protocol Manual and ensure the Treatment Unit Administrator for each youth center receives a manual and any updates.
3. Non-emergency and routine mental health services shall be provided in accordance with the standards established in the Mental Health Protocol Manual.

F. Requirements

The Treatment Unit Administrator youth center shall:

1. Maintain the Mental Health Protocol Manual for his or her youth center and ensure mental health staff is notified of updates.
2. Ensure mental health staff is aware of procedures for obtaining and documenting consent for services or refusal for treatment, as appropriate. Limits of confidentiality, including duty to warn, shall be discussed with the youth when mental health services are rendered.
3. Ensure all non-emergency mental health services are provided as follows, and in accordance with the Mental Health Protocol Manual:

- a. All mental health records shall be documented in writing and shall be filed in the youth's medical file.
- b. An individualized mental health treatment plan shall be established for all youth requiring on-going mental health services. The initial treatment plan will be developed within 21 days of arrival at parent facility and shall be updated accordingly throughout a youth's commitment.

- (1) All treatment plans shall be documented on the Mental Health Treatment Plan, DJJ 0284, and shall be signed by the assigned MHP and the youth receiving services.

NOTE: When not signed by the youth, the reason shall be documented on the DJJ 0284.

- (2) Treatment plans shall be reviewed monthly with the youth and with the youth's multidisciplinary team at the monthly staffing, or sooner, when clinically indicated. Reviews shall be documented on the Mental Health Treatment Plan Review, DJJ XXXX.
- (3) Within three to one month prior to a youth's expected release date, the MHP shall review the youth's treatment plan with the youth's assigned Aftercare Specialist. In consultation with the Aftercare Specialist, the MPH shall make recommendations for the youth's continued mental health treatment in the community upon release. Such recommendations shall be documented on the Aftercare Mental Health Services Referral, DJJ XXXX.
- (4) The MHP shall make every reasonable effort to review the initial treatment plan, any significant changes to the treatment plan, and the aftercare mental health services recommendations with the youth's parent or guardian.

- c. Youth who are awaiting transfer to a specialized mental health setting or the Department of Human Services and who are not on a crisis watch status shall be:
 - (1) Monitored at least daily by a mental health professional (when on grounds) or a Crisis Team Member (when no MHP in on grounds);
 - (2) Monitored by a psychiatrist until the transfer is effected as psychiatrically or medically indicated; and
 - (3) Provided with medication or other treatment, as psychiatrically or medically indicated.

- d. Youth who are returned to general population from a specialized mental health setting (unless transferred within the same youth center), psychiatric hospitalization, or the Department of Human Services shall be:
 - (1) Evaluated by the receiving youth center's mental health professional on the day of arrival at the youth center.
 - (2) Assigned to a mental health professional for weekly individual therapy and group therapy if clinically indicated.
 - (3) The treatment plan for youth returned to general population from a specialized mental health setting, psychiatric hospitalization, or the Department of Human Services shall be consistent with what has been documented to be effective for the youth or has been recommended by staff at that mental health treatment provider, unless alternative treatments are determined to be clinically preferable.
- e. Psychotropic medication shall only be administered after the youth, or parent or guardian of a youth under 18 years of age, has provided his or her informed consent or in accordance with Department Rule 2415.70.
 - (1) The Health Care Unit Administrator shall maintain updated and medically accurate medication information sheets on all psychotropic medications. These information sheets shall contain comprehensive information on:
 - (a) The more common and less common side effects of the medication;
 - (b) How the medication is administered and monitored;
 - (c) What symptoms the medication is used to treat; and
 - (d) Alternative medications that treat the same symptoms and the side effects of those medications.
 - (2) Informed consent is obtained when:
 - (a) The prescribing psychiatrist or nurse has explained the youth's diagnosis, the risks and benefits of medication, the alternatives to medication, and potential ramifications of not using any medication, and reviewed all the information contained in the medication information sheet with:
 - (i) The youth, if the youth is 18 years of age or older; or
 - (ii) The youth and the youth's parent or guardian, if the youth is under the age of 18; and
 - (b) The youth or parent or guardian, as applicable, has executed the Medication Consent Form, DJJ 0442.

Note: A parent's or guardian's consent may be obtained verbally over the phone after the contents of the medication information sheet have been thoroughly explained, however, if consent is given verbally, subsequent reasonable efforts should be made to obtain a parent guardian signature on the DJJ 0442.

- (3) When the prescribing psychiatrist has determined that administering

psychotropic medication is in the medical interest of a youth under 18 years of age, the youth center nurse shall:

- (a) Attempt to contact the youth's parent or guardian to obtain informed consent, and
 - (b) Mail the medication information sheet and DJJ 0442 to the youth's parent or guardian.
- (4) If the nurse is unable to get in contact to the youth's parent or guardian, follow up phone calls or other attempts to contact the parent or guardian shall be made weekly, until and unless, a psychiatrist or physician orders the administration of the medication pursuant to Department Rule 2415.70.

Authorized by:

Candice Jones
Director

Supersedes:

04.04.101

AD

8/1/2005

Illinois Department of Juvenile Justice			ADMINISTRATIVE DIRECTIVE		Number	05.07.102
			Page	1 of 4		
			Effective	(NEW) Draft		
Section	05	Operations				
Subsection	07	Reception and Classification				
Subject	102	Reception Status for Youth				

I. POLICY

A. Authority

730 ILCS 5/3-2.5-20 and 5/3-7-2

20 Ill. Adm. Code 2504 and 2525

B. Policy Statement

Upon admission to the Department through a Reception and Classification Center, youth shall be placed in reception status. During reception, youth shall be screened, classified, and oriented to the Department and its rules and programs.

II. PROCEDURE

A. Purpose

The purpose of this directive is to establish a reception period at a Reception and Classification Center and to establish the privileges and restrictions associated with the time spent in reception.

B. Applicability

This directive is applicable to all youth centers designated as Reception and Classification Centers.

C. Facility Reviews

A facility review of this directive shall be conducted at least annually.

D. Designees

Individuals specified in this directive may delegate stated responsibilities to another person or persons unless otherwise directed.

E. Definitions

Reception status - the time that a youth must serve upon admission or return (as an escapee/runaway or MSR or aftercare release violator) to Department Reception and Classification Center.

F. General Provisions

ADMINISTRATIVE DIRECTIVE	Effective Draft	Page 2 of 4	Number 05.07.102
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1. Youth shall be placed in reception status upon admission or return to any Reception and Classification Center.
2. The youth's reception status shall terminate upon transfer to an assigned youth center.
3. Youth in reception status shall:
 - a. Be issued at a minimum, a shirt, pants, underwear, socks, shoes, and other clothing adequate for the season, including a seasonal coat, a sweatshirt, or hat and gloves, when necessary.
 - b. Be served nutritionally adequate meals three times a day.
 - c. Be prohibited from possessing any audio or visual equipment.
 - d. Be permitted access to reading materials and shall have access to materials from the facility library and legal library. Physical access to either library need not be provided.
 - e. Not receive any State pay.
 - f. Be provided with bedding, soap, personal hygiene products and towels.
 - g. Have access to medical and mental health services during daily sick call and in an emergency.
 - h. Have access to chaplaincy services.
 - i. Have no restrictions on mail except as provided in 20 Ill. Adm. Code 2525.
4. Identification cards shall be issued in accordance with Administrative Directive 01.07.806.

G. Reception Status

During reception status:

1. Youth shall receive Department orientation and be screened and classified in accordance with Administrative Directives 05.07.101, 05.05.110, and 05.05.105.
2. Youth movement shall be escorted.
3. Youth shall be permitted visits in accordance with Administrative Directive 05.01.106.
4. Youth shall be permitted access to shower facilities daily.
5. Youth shall be allowed a phone call to his or her guardian upon admission and twice weekly follow-up calls while on reception status, under the supervision of the Youth and

ADMINISTRATIVE DIRECTIVE	Effective Draft	Page 3 of 4	Number 05.07.102
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Family Specialist. During this first call the Youth and Family Specialist shall explain the reception process to the family and answer any questions. These calls shall be documented on Youth Contact Log. This limitation shall not include attorney telephone calls and court ordered calls or calls permitted in emergency situations as approved by the Chief Administrative Officer.

6. Youth shall have the opportunity to participate in the following mental health sessions based on the curriculum approved and distributed by the Chief of Mental Health Services and led by a mental health professional:
 - a. Mental Health Orientation;
 - b. Review and discussion of the Department's Policies and procedures regarding the Department's sexual harassment and sexual abuse prevention and intervention program; and
 - c. Orientation to Treatment Modalities

Youth participation in these mental health sessions shall be documented by the mental health professional conducting the session.

NOTE: When three or more youth in reception status are available such sessions shall be conducted by a mental health professional through a group modality. When less than three youth in reception status are available for a group session the curriculum shall be covered by the assigned mental health professional during individual sessions prior to youth being transferred to his or her assigned youth center.

7. Youth shall have access to legal materials in their rooms.
8. Youth shall have access to self-guided educational materials and library reading materials as determined appropriate by a School District teacher.
9. Youth shall have reasonable access to online education as determined appropriate by a School District teacher and a mental health professional.
10. While in reception status, a youth may also be placed on the confinement unit accordance with applicable Department and youth center policies and procedures.

H. Reception Programming Schedules

Each Reception and Classification Administrator shall implement weekly youth programming schedules. Weekly schedules shall provide all youths with the opportunity to spend at least eight hours per day outside their rooms engaged in supervised activities, including the various programs and activities identified in this Administrative Directive, and the reception process, but not including meals or showers. Weekly schedules shall outline the time and staff member responsible for each program or activity and shall, at a minimum, allow youth to participate the following programs and activities when not involved in the reception process or security issues would override:

ADMINISTRATIVE DIRECTIVE	Effective Draft	Page 4 of 4	Number 05.07.102
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1. Two individual counseling sessions per week with the youth's assigned mental health professional;
2. Three structured group programs per week, which may be led by a mental health professional or other staff member and may include a mental health session required by paragraph II.G.6;
3. One hour of direct individual or small group educational instruction per school day provided by a School District teacher;
4. Two alternative educational group programs per week; and
5. Two hours of recreation per day on days where no group programs are scheduled, which shall include one hour of physical activity, or one hour of recreation providing physical activity on days where there are group lectures or programs scheduled.

The topics and content of the reception programs may be standardized to address some of the more common needs and interests of youth in reception status, but the programs scheduled should also consider the particular needs and interests of the individual youth participating in the program. Some examples of appropriate topics may include; current events, literacy skills, anger management, bullying, peer pressure, peace circles, respecting differences, goal setting, career exploration, educational assessments, social skills training, strategies for success in school, strategies for staying out of prison, drug and alcohol education, self-advocacy skills, negative and positive support systems, or family cycles and influences.

Authorized by

Candice Jones
Director

Professional Personnel

Substitute Teachers

1. The District may employ substitute teachers as necessary to replace teachers who are temporarily absent.
2. The Principal of each Department school shall maintain a list of at least five approved substitute teachers and shall contact such approved substitute teachers as needed in the event of a teacher absence. Such approved substitute teachers must:
 - A. Hold either a valid Illinois Professional Educator License or Substitute Teaching License;
 - B. Be either a retired or former Department or District employee who left in good standing or a current regular Department volunteer; and
 - C. Have completed the substitute teacher training developed by the Superintendent.
3. A substitute teacher may teach in the place of a licensed teacher who is under contract with the Board. There is no limit on the number of days that a substitute teacher may teach in the District during the school year. However the number of days that a substitute teacher may teach for any one licensed teacher under contract with the District is limited as follows:
 - A. A licensed substitute teacher may teach only for a period not to exceed 90 school days in the same school year.
 - B. A licensed teacher may teach only for a period not to exceed 120 school days in the same school year.
4. The District shall establish a standard rate of pay for substitute teachers. Substitute teachers shall receive only monetary compensation for time worked and no other benefits.
5. A substitute teacher may teach when no licensed teacher is under contract with the Board if the District has an emergency situation as defined in State law. During an emergency situation, a substitute teacher is limited to 30 calendar days of employment per each vacant position.

Legal Reference: 105 ILCS 5/21-9 and 5/21B-20(3).
23 Ill.Admin.Code §1.790.

10/20/2014

Draft Admin. Code Revisions
R.J. v. Jones - Confinement

Section 2504.30 Preparation of Disciplinary Reports

- a) Every employee has the duty to observe the conduct of youth.
- b) When the rule infraction is minor, every effort should be made to take corrective action that is adapted to individual circumstances, administered immediately and consistently, and is understood by the youth through appropriate counseling efforts. If an employee observes a youth committing a potentially major offense, discovers evidence of its commission, or receives information from a reliable witness of such conduct, the employee shall promptly prepare a disciplinary report. When the rule infraction is potentially major and may justify placement on investigative status, the shift supervisor should be contacted immediately. Use of confinement in response to an offense must be consistent with the requirements of Subpart B.
- c) The disciplinary report must be fully completed. The reporting employee shall provide the following information to the extent known or available.
 - 1) The name and youth identification number of the youth.
 - 2) The place, time, and date of the offense.
 - 3) The offense that the youth is alleged to have committed.
 - 4) A written statement of the conduct observed.
 - 5) The names of youth, employees, and visitors who were witnesses. The identity of witnesses may be withheld for reasons of security provided a statement to that effect and the information the confidential source provided are included on the disciplinary report to the extent the information can be included without jeopardizing security.
 - 6) The signature of the reporting employee and the date and time the report is completed.
- d) If a youth is placed on investigative status, an investigative report shall be issued that reasonably informs the youth of the subject of the investigation to the extent that safety and security allow.
- e) Service of a disciplinary report or investigative report upon the youth shall commence the disciplinary proceeding. If a youth is currently confined on investigative status, he or she must be served with an investigative report within 12 hours after placement in confinement. In no event shall a disciplinary report or

investigative report be served upon any youth more than 6 days, after the commission of an offense or the discovery thereof unless the youth is unavailable or unable to participate in the proceeding.

Section 2504.50 Review of Disciplinary Reports

- a) The Chief Administrative Officer of each facility shall designate one or more Internal Investigators.
- b) If a youth is currently confined on investigative status and an investigative report has not been served on the youth within 12 hours after placement in confinement, the Internal Investigator shall inform the Chief Administrative Officer.
- c) A youth who is placed on investigative status shall be interviewed by the Internal Investigator in order to permit the youth an opportunity to present his or her views regarding the incident. The interview shall be conducted within 3 days after initial placement of a youth in investigative status, whenever possible.
 - 1) If the investigation does not indicate that the youth may be guilty of any disciplinary offense, placement in investigative status shall be terminated and the report shall be expunged from the youth's records. A copy shall be maintained in an expungement file. This decision shall be made by the Chief Administrative Officer and shall be documented in writing.
 - 2) If, as a result of the investigation, it is necessary to amend or modify the original charges, the youth shall be issued a revised disciplinary report.
 - 3) Upon completion of the investigation, the youth shall appear before the Adjustment Committee for a hearing on the disciplinary report unless the report has been expunged.
- d) The Internal Investigator shall review each disciplinary report and determine whether:
 - 1) The reported facts justify a disciplinary hearing. If not, the report shall be expunged from the youth's records. A copy shall be maintained in an expungement file.
 - 2) The disciplinary report has been completed properly. If not, the Internal Investigator shall make the necessary corrections or direct the reporting employee to make the corrections. The youth shall be provided with a copy of the corrected report. In the event the corrected report contains new charges, the youth shall be provided a copy of the corrected report at least 24 hours prior to the hearing, unless the youth waives this notice in writing.
 - 3) The offense is major or minor in nature. Disciplinary reports for major offenses shall be assigned to the Adjustment Committee for a hearing and

disciplinary reports for minor offenses shall be assigned to the Program Unit for a hearing.

- A) Aiding and abetting, soliciting, attempting to commit, conspiring to commit, or committing any offense listed in the 100, 200, or 500 series of Table A shall be considered a major offense.
- B) Those offenses listed in the 300 or 400 series or the aiding and abetting, soliciting, attempting to commit, or conspiring to commit any of these offenses shall be designated as major or minor based on the seriousness of the offense and the following factors :
 - i) The aggressiveness of the youth;
 - ii) The threat posed to the safety and security of the facility or any person;
 - iii) The need to restrict the youth's access to general population to conduct the investigation; or
 - iv) The seriousness of the offense.

SUBPART B: CONFINEMENT PROCEDURES

Section 2504.210 Definitions

"Chief Administrative Officer" means the highest ranking official of a youth center.

"Confinement" means intentionally keeping a youth separate from all other youth, removing a youth from the general population, restricting the movement of a youth, or confining a youth to a room or area for any period of time for the reasons defined herein regardless of whether the youth is placed on a confinement unit. Confinement of a youth for any reason not defined in this rule is not permitted.

"Confinement unit" – means an area within the youth center designated by the Chief Administrative Officer to house youth who, for safety and security reasons, require close supervision and limited out of room time, access to privileges, and contact with other youth. Youth may only be placed in the confinement unit in accordance with Section 2504.220.

"Confinement decision" means a decision by a staff member to initially confine a youth, to continue or change the basis for confinement, to remove a youth from confinement, to initially restrict access to programs or services of a youth on confinement, or continue or adjust such restrictions.

"Department" means the Department of Juvenile Justice.

“Deputy Director of Operations” means the Deputy Director of Operations of the Department of Juvenile Justice.

"Director" means the Director of the Department of Juvenile Justice.

"Youth" means a person committed to the Department or to the custody of the Department.

“Investigative Status” means a status given to a youth who is temporarily confined, after approval of the Deputy Director of Operations, where confinement is necessary for the efficient and effective investigation of a major offense as defined in Section 2504.50.

“Administrative Hold” means the status of a youth who is temporarily being housed in a particular youth center, and includes, but is not limited to, youth awaiting transfer to the Department of Corrections or another youth center, youth permanently assigned to another youth center being housed for purposes of attending court, youth awaiting release or who were delivered to the Department by mistake.

“Confinement Status” means a status assigned to a youth who exhibits or threatens violent, aggressive, or uncontrolled behavior and poses a serious and immediate threat to his or her own safety, the safety of others, or the security of the facility.

“Behavioral Hold” means the confinement of a youth to their own room or other area, separate from the confinement unit, when a youth has violated a department or youth center rule, failed to follow instructions of youth center staff, or otherwise behaved in a disruptive manner.

“Crisis Status” means a status assigned to a youth who exhibits behavior suggestive of acute mental or emotional disorder or suicidal ideation.

“Medical Hold” means the confinement of a youth ordered by a physician for purposes of medical quarantine, recovery, or observation.

Section 2504.215 Responsibilities

- a) Unless otherwise specified, the Director, Deputy Director of Operations, or Chief Administrative Officer may delegate responsibilities stated in this Subpart to another person or persons or designate another person or persons to perform the duties specified.
- b) No other individual may routinely perform duties whenever a Section in this Subpart specifically states the Director, Deputy Director of Operations, or Chief Administrative Officer shall personally perform the duties. However, the Director, Deputy Director of Operations, or Chief Administrative Officer may designate another person or persons to perform the duties during periods of his or her temporary absence or in an emergency.

Section 2504.220 Placement in the Confinement Unit

The confinement of a youth in the confinement unit must comply with the following requirements:

- a) The Chief Administrative Officer may designate an area within the youth center, separate from all other youth, as the confinement unit. Youth may be removed from the general population and placed in the confinement unit only under the following conditions:
 - 1) When a youth is placed on Investigative Status he or she may be placed in the confinement unit. Such confinement must comply with the requirements of Section 2504.250;
 - 2) When a youth is placed on Confinement Status he or she may be placed in the confinement unit only until the youth regains self-control and for no longer than 24 hours;
 - 3) When a youth is on an Administrative Hold and is awaiting transfer to the Department of Corrections or a more secure setting, or the Chief Administrative Officer documents other safety or security reasons why a less restrictive form of housing is not appropriate he or she may be placed in the confinement unit for a maximum of 3 business days;
 - 4) When a youth is on an Administrative Hold for reasons other than those described in paragraph 3 above, he or she may be housed in the confinement unit for a maximum of 24 hours; and
 - 5) When a youth is on Crisis Status he or she may be placed in the confinement unit only when a mental health professional determines that such placement is necessary to prevent physical harm to self or others and a less restrictive area is not available or sufficient.
 - A) The necessity of such placement shall be reviewed by a mental health professional every 24 hours, and if placement in the confinement unit is still necessary after three days, the youth shall be evaluated for psychiatric hospitalization.
 - B) Such youth must be removed from the confinement unit once the risk of physical harm to self or others ends or a less restrictive area becomes available or sufficient.
 - 6) When a youth is on a Medical Hold he or she may be placed in the confinement unit only when ordered by a physician after a determination that a less restrictive area is not available or sufficient to meet the youth's medical needs. The necessity of such placement shall be reviewed by a physician every 24 hours.
- b) While on the confinement unit, visual checks and verbal communications required

by Section 2504.230(e) shall be made no less than every 15 minutes

- c) All other confinement of youth must occur in their rooms or living areas or in another area designated by the Chief Administrative Officer and under the conditions as otherwise provided in this Subpart.

Section 2504.230 General Confinement Requirements

All confinement, regardless of basis or location, must comply with the following requirements:

- a) All confinement decisions shall be documented and justified in writing as soon as practical by the staff member making such decision.
- b) The Chief Administrative Officer shall be notified of all decisions to confine for any reason as soon as possible and shall review all documentation justifying such decisions.
- c) Any medical complaint registered by the youth or possible medical concern observed by staff while in confinement shall be reported immediately to the medical staff, if on duty, or to the shift supervisor who shall contact a member of the medical staff immediately.
- d) Visual checks by youth center staff shall be made of all youth in confinement no less than every 30 minutes, shall include a verbal confirmation from the youth during waking hours, and during sleeping hours if and as often as ordered by a physician or mental health professional, and shall be documented.
- e) Use of physical restraints on youth in confinement must comply with 20 Ill. Adm. Code 2501.Subpart B.
- f) Youth in confinement shall be provided time outside the room for daily showers, personal grooming, and recreation.
- g) Youth confined for 24 hours or more shall be provided a minimum of 4 hours of out-of-room time for every 24-hour period, including at least one hour of large-muscle exercise. This hour of exercise shall be out doors when weather permits.
 - 1) Such out-of-room time may be restricted on orders of the Chief Administrative Officer when release of the youth poses a threat to the safety of the individual or others or to the security of the facility. Such determinations shall be documented and justified.
 - 2) All out-of-room movement shall be documented
- h) Youth confined for 24 hours or more shall be interviewed daily by a mental health professional.

- i) Anytime a youth is in confinement for 18 consecutive hours or on more than 10 occasions in any 30 day period, the Deputy Director of Operations shall be notified immediately and all documentation justifying such confinement shall be forwarded to him or her.
- j) The parents or guardian of a youth under 18 years of age shall be notified anytime such youth is confined for 24 hours or more.
- k) Youth in confinement shall continue to receive the mental health services they ordinarily receive.
- l) Youth in confinement shall have the opportunity to receive the educational services they ordinarily receive, unless the Chief Administrative Officer personally determines that providing such services to the youth poses a threat to the physical safety of the individual or others or to the security of the youth center. Such determinations shall be documented and justified.
- m) Youth in confinement shall be permitted to have family, attorney, and clergy visits. Family and clergy visits may be restricted by order of the Chief Administrative Officer when the youth poses a threat to the physical safety of the individual or others or to the security of the youth center. Such determinations shall be documented and justified.
- n) Reading materials shall be provided to the youth for use in the room provided the materials are not abused. Youth shall be provided access to writing materials daily, outside the room. Any abuse of reading or writing materials must be documented on a disciplinary report and may result in temporary restriction except for communication to counsel or the court. Such determinations shall be documented and justified.
- o) The Department shall maintain cumulative data on all confinement decisions.

Section 2504.240 Confinement Status

- a) A youth may be placed on Confinement Status and confined in the confinement unit or other area designated by the Chief Administrative Officer when he or she exhibits or threatens violent, aggressive, or uncontrolled behavior and poses a serious threat to his or her own safety, the safety of others, or the security of the facility.
- b) Such confinement must end when the youth regains self-control and may not exceed 24 hours in duration.
- c) Unless sooner removed from confinement, within one hour of confinement and every hour thereafter if the youth is awake, a supervisory staff member shall meet with the youth to assess whether the youth has regained self-control.

- d) If a youth has not regained self-control after 4 hours in confinement, a mental health professional or other staff specifically trained in crisis response shall meet with the youth, attempt to assist the youth in regaining self-control, and assess whether the youth has any immediate needs for additional mental health services. Such staff shall continue such check in every 2 hours if the youth is awake, until the youth is removed from Confinement Status.

Section 2504.250 Investigative Status

- a) A youth may be placed on Investigative Status and confined in the confinement unit or other area designated by the Chief Administrative Officer when that youth is alleged to have committed a major offense as defined 2504.50, the temporary confinement is necessary for the efficient and effective investigation of the offence, and such confinement is personally approved by the Deputy Director of Operations.
- b) Such confinement must end when, regardless of the maximum time established, the Internal Investigator, Chief Administrative Officer, or Deputy Director of Operations determines that continued confinement is no longer necessary for the efficient and effective investigation of the offence.
- c) Such confinement may continue for a maximum of 4 days, unless:
 - 1) The investigation is being conducted by an outside agency and the agency submits to the Deputy Director of Operations documentation supporting why continued placement in the confinement unit is necessary; or
 - 2) In the event that an investigation cannot be completed within 4 days due to an institutional emergency, and the Deputy Director of Operations personally authorizes, in writing, an extension of up to 4 days placement in confinement for pending investigation. As used in this Section, an institutional emergency includes riots, strikes, lockdowns, and natural disasters.

Section 2504.260 Administrative Hold

- a) A youth may be placed on an Administrative Hold when temporarily being housed in a particular youth center and may be separated from other youth for administrative or security purposes as personally determined by the Chief Administrative Officer.
- b) Youth on an Administrative Hold may be placed in the confinement unit only as provided in Section 2504.220.
- c) The Department shall make every reasonable effort to provide youth on an Administrative Hold, who are not placed in the confinement unit for safety and security reasons, with access to the same programs and services youth in the general population have. Any restrictions on movement or access to programs

and services shall be documented and justified by the Chief Administrative Officer.

Section 2504.270 Behavioral Hold

- a) A youth may be placed on a Behavioral Hold when a youth has violated a Department or youth center rule, failed to follow instructions of youth center staff, or otherwise behaved in a disruptive manner.
- b) The shift supervisor shall be immediately notified anytime a youth is placed on a Behavioral Hold.
- c) All youth shall be informed of what behaviors are unacceptable and may result in a Behavioral Hold.
- d) Youth on a Behavioral Hold shall be confined in their own room or other area designated by the Chief Administrative Officer and may not be placed in the confinement unit.
- e) Within 30 minutes of confinement, a staff member not involved in the behavioral incident shall meet with the youth, provide counsel and guidance regarding the behavior, and de-escalate the behavior where necessary.
- f) A youth shall be removed from the behavioral hold once the shift supervisor determines the youth has demonstrated an understanding of the behavior and the desire and ability to return to program participation with no further behavioral issues. Unless sooner removed from confinement, within one hour of confinement and every hour thereafter, a supervisory staff member shall meet with the youth to assess whether the youth has done so.
- g) At no time may a youth on a behavioral hold be confined for more than 4 hours.

Section 2504.280 Crisis Status

- a) A youth may be placed on Crisis Status and confined in the confinement unit or other area designated by the Chief Administrative Officer when determined by a mental health professional or other staff specifically trained in crisis response to require removal from the youth's regular housing assignment for mental health treatment or observation.
- b) The Department shall establish procedures for the timely identification of, referral to appropriate staff, and provision of mental health services to youth in crisis.
- c) Youth on Crisis Status may be placed in the confinement unit only as provided in Section 2504.220.

- d) Where crisis status is ordered and there is no present risk of physical harm to self or others, a youth's movement and access to programs and services may only be restricted as specifically ordered by a mental health professional based on a finding of mental health need. These restrictions shall be reviewed by a mental health professional daily.

Section 2504.290 Medical Hold

- a) A youth may be placed on a medical hold and confined for purposes of medical quarantine, recovery, or observation only when ordered by a physician.
- b) Youth on a medical hold may only be confined in their own room or other area designated by the Chief Administrative Officer and may not be placed in the confinement unit.
- c) Where a medical hold is ordered, a youth's movement and access to programs and services may only be restricted as specifically ordered by the physician based on a finding of medical need. These restrictions shall be reviewed by a physician daily.



**ILLINOIS DEPARTMENT
OF
JUVENILE JUSTICE**
Springfield, Illinois

Number	046
Page	Page 1 of 3
Effective Revised	October 1, 2014

POLICY/PROCEDURAL BULLETIN

Subject Confinement Liaison

A. Authority

730 ILCS 5/3-2.5-20

B. Requirements

- 1) The Assistant Superintendent of Programs (ASP) at each youth center shall ensure that a youth and family specialist or other non-security staff member is present during the day shift at the youth center's confinement unit whenever there is at least one youth placed in the unit. Such staff member shall be designated as the Confinement Liaison.
- 2) The Confinement Liaison shall be assigned job duties as specified by the ASP to help ensure that youth placed on the confinement unit receive appropriate services, including but not limited to mental health and education services.
- 3) Duties of the Confinement Liaison shall be submitted to and approved by the Deputy Director of Programs.

Authorized by

**Candice Jones
Director**

SUBPART A: FOOD SERVICE

SUBPART B: CLEANLINESS AND GROOMING FOR COMMITTED YOUTH

SUBPART C: CLOTHING, BEDDING, LINENS AND ROOM CONDITIONS

2502.205	Responsibilities
2502.210	Clothing
2502.220	Bedding
2502.230	Linens
2502.240	Room Conditions

SUBPART D: CLOTHING AND GRANTS FOR TRAVEL AND EXPENSES

2502.310	Clothing for Release
2502.320	Grants for Travel and Expenses

AUTHORITY: Implementing Sections 3-7-2 and 3-14-1 and authorized by Section 3-7-1 of the Unified Code of Corrections [730 ILCS 5/3-7-2, 3-14-1 and 3-7-1].

SOURCE: Adopted at 8 Ill. Reg. 14618, effective August 1, 1984; amended at 11 Ill. Reg. 7264, effective May 1, 1987; amended at 13 Ill. Reg. 13577, effective September 1, 1989; amended at 15 Ill. Reg. 11928, effective September 1, 1991; amended at 17 Ill. Reg. 19479, effective November 15, 1993; the policies embodied in this Part transferred to the Department of Juvenile Justice pursuant to Section 3-2.5-50 of the Unified Code of Corrections on June 1, 2006 and codified at 38 Ill. Reg. ____.

DJJ

20 ILLINOIS ADMINISTRATIVE CODE 2502

2502.205

SUBCHAPTER d

SUBPART C: CLOTHING, BEDDING, LINENS

Section 2502.205 Responsibilities

- a) Unless otherwise specified, the Director or Chief Administrative Officer may delegate responsibilities stated in this Part to another person or persons or designate another person or persons to perform the duties specified.
- b) No other individual may routinely perform duties whenever a rule in this Part specifically states the Director or Chief Administrative Officer shall personally perform the duties. However, the Director or Chief Administrative Officer may designate another person or persons to perform the duties during periods of his temporary absence or in an emergency.

Section 2502.210 Clothing

- a) Clothing issued to committed youth, including shoes, shall be suitable for the season and properly stenciled or otherwise marked for identification, and shall be in good repair.
- b) Youth may retain and wear personal clothing items subject to the approval of the Chief Administrative Officer.
- c) Laundry services shall be available on a scheduled weekly basis.

DJJ 20 ILLINOIS ADMINISTRATIVE CODE 2502 2502.220
SUBCHAPTER d

Section 2502.220 Bedding

Bedding suitable for weather and temperature shall be provided.

DJJ 20 ILLINOIS ADMINISTRATIVE CODE 2502 2502.230
SUBCHAPTER d

Section 2502.230 Linens

| Clean linen shall be provided on a scheduled weekly basis, and more often as needed.-

Section 2502.240 Room Conditions

- a) All youth rooms shall be well lit, have functional plumbing, and appropriately heated or cooled.
- b) All vacated youth rooms shall be thoroughly cleaned and sanitized before the room is used for another youth.
- c) Youth shall be responsible for the regular cleaning of his or her assigned room and Department staff shall ensure youth rooms remain free of food waste, human waste, and graffiti. If staff determine that a youth should not have access to cleaning supplies, then staff shall ensure an alternative means for the regular cleaning of the room.

Illinois Department of Juvenile Justice			ADMINISTRATIVE	Number	05.02.140
			DIRECTIVE	Page	1 of 4
				Effective	6/1/2013
Section	05	Operations			
Subsection	02	Safety, Maintenance and Sanitation			
Subject	140	Safety and Sanitation Inspections			

I. POLICY

A. Authority

730 ILCS 5/3-2.5-20

B. Policy Statement

The Department shall ensure a safe and sanitary environment be maintained at each youth center. Safety and sanitation are the responsibility of every employee.

II. PROCEDURE

A. Purpose

The purpose of this directive is to establish written safety and sanitation procedures and to designate individuals responsible for conducting inspections to identify and monitor the elimination of conditions and practices that could affect the health and safety of the youth and staff at each youth center.

B. Applicability

This directive is applicable to all youth centers within the Department.

C. Facility Reviews

A facility review of this directive shall be conducted at least semi-annually.

D. Designees

Individuals specified in this directive may delegate stated responsibilities to another person or persons unless otherwise directed.

E. Responsibilities

Medical Inspector - a licensed health care professional member of the medical staff who conducts monthly inspections of all housing units and dietary service areas.

Safety and Sanitation Coordinator - an administrative staff person who supervises day to day safety and sanitation operations of the facility.

Safety and Sanitation Officer - staff assigned to a zone that is responsible for the maintenance of the zone's safety and sanitation standards.

ADMINISTRATIVE DIRECTIVE	Effective 6/1/2013	Page 2 of 4	Number 05.02.140
-------------------------------------	------------------------------	-----------------------	----------------------------

F. General Provisions

1. Safety and sanitation standards shall be developed in consultation with the Department's Environmental Health Coordinator and enforced in the following categories at each youth center:
 - a. General Standards
 - (1) Housekeeping;
 - (2) Maintenance;
 - (3) Solid waste disposal;
 - (4) Water and sewer disposal;
 - (5) Pest control; and
 - (6) Heating and ventilation.
 - b. Specific Standards (if applicable)
 - (1) Health Care Unit;
 - (2) Food Service;
 - (3) Laundry; and
 - (4) Barber Shop or Beauty Shop or both.
2. To ensure compliance with safety and sanitation standards, regular inspections shall be conducted at each youth center. Major violations of standards shall be reported in writing to the Department's Environmental Health Coordinator by the Chief Administrative Officer.
3. Each youth center shall be divided into zones in order to facilitate maintenance of safety and sanitation standards. Because of the size, some small youth centers may be limited to one zone.
4. A comprehensive safety and sanitation check list unique to each zone shall be developed.

G. Requirements

The Chief Administrative Officer shall ensure a written procedure is established in accordance with the following provisions.

1. The Chief Administrative Officer shall appoint:
 - a. A Safety and Sanitation Coordinator from the four highest ranking employees of

ADMINISTRATIVE DIRECTIVE	Effective 6/1/2013	Page 3 of 4	Number 05.02.140
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the youth center staff, and

- b. A Medical Inspector.
2. The Safety and Sanitation Coordinator shall:
- a. Conduct monthly inspections of all areas of the youth center.
 - b. Submit a monthly safety and sanitation report to the Chief Administrative Officer by the fifth working day following the end of the month. The report shall include:
 - (1) Identification of any standards that have not been met.
 - (2) Recommendations for corrective action.
 - (3) Progress statement of action taken to correct previously reported deficiencies.
 - (4) Date and signature of the Safety and Sanitation Coordinator.
 - c. Assign a Safety and Sanitation Officer to each zone.

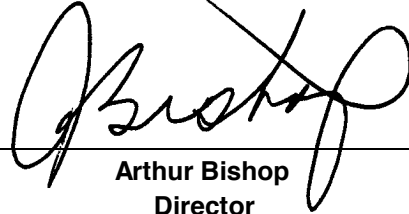
NOTE: At the discretion of the Chief Administrative Officer, the Safety and Sanitation Coordinator, and the Safety and Sanitation Officer may be the same individual.
 - d. Maintain a master check off list to document receipt of the facility zone reports.
 - e. Maintain on file the zone reports and the master check off list for at least one year.
3. Each Safety and Sanitation Officer shall:
- a. Conduct weekly safety and sanitation inspections of the assigned zone.
 - b. Submit dated and signed weekly zone inspection reports to the Safety and Sanitation Coordinator.
 - c. Submit work orders or initiate direct action to correct violations of minor safety and sanitation standards. Any immediate action performed by maintenance per a verbal request shall be followed by written work orders.
 - d. Immediately report in writing to the Safety and Sanitation Coordinator any major violations of standards.
4. The Medical Inspector shall:
- a. Conduct minimum monthly inspections of all housing units and dietary areas.
 - b. Submit a monthly report to the Safety and Sanitation Coordinator by the 25th calendar day of each month. The report shall cite safety and sanitation

ADMINISTRATIVE DIRECTIVE	Effective 6/1/2013	Page 4 of 4	Number 05.02.140
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deficiencies noted during inspections and shall include recommendations for corrective action.

5. Every department head and persons specified in this Administrative Directive shall have safety and sanitation objectives included within his or her performance evaluation.

Authorized by:



Arthur Bishop
Director

Illinois Department of Juvenile Justice		ADMINISTRATIVE	Number	04.01.130
		DIRECTIVE	Page	1 of 5
			Effective	DRAFT 8/01/2014
Section	04	Programs and Services		
Subsection	01	General Provisions		
Subject	130	Programs and Case Management		

I. POLICY

A. Authority

730 ILCS 5/3-10-2, 3-10-3 and 5/3-2.5-20

20 Ill. Adm. Code 2420 and 2503

Prison Rape Elimination Act National Standards – Juvenile, 28 C.F.R. §§ 115.341 and 115.342

B. Policy Statement

The Department shall provide comprehensive case management services to all youth committed to youth centers. Staff shall make available a minimum of 12 hours of program services and/or out-of-room activity during each weekday, except State holidays, and a minimum of 8four hours of program services and/or out-of-room activity during State holidays and weekendseach weekend.

II. PROCEDURES

A. Purpose

The purpose of this directive is to establish a written procedure governing the responsibilities of staff for the provision and delivery of case management services to youth in accordance with statutes and departmental rules, and to ensure that housing, bed, program, education, and work assignments are made with the goal of keeping all youth safe and free from sexual abuse.

B. Applicability

This directive is applicable to all youth centers within the Department.

C. Facility Reviews

A facility review of this directive shall be conducted at least annually.

D. Definitions

Intersex – a person who's sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female.

Transgender – a person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth, and includes youth identified as having gender

ADMINISTRATIVE DIRECTIVE	Effective DRAFT8/01/2014	Page 2 of 5	Number 04.01.130
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dysphoria pursuant to Administrative Directive 04.03.104.

E. Designees

Individuals specified in this directive may delegate stated responsibilities to another person or persons unless otherwise directed.

F. Requirements

The Chief Administrative Officer of each youth center shall establish and maintain written procedures to ensure, at a minimum, that the following case management functions are provided.

1. Orientation

Orientation to the youth center and program for each youth shall be completed within 15 days from the date of arrival at the youth center. The youth shall be requested to sign documentation of the completed orientation.

2. Establishment of Administrative Review Date

An Administrative Review Date shall be established for each delinquent within the first 60 days of the youth's incarceration within the Department in accordance with Administrative Directive 01.07.255.

3. Assessment and Assignment Process

a. A Program Assignment Committee shall initiate the assessment and assignment process within ten working days after a youth is placed at a youth center and shall complete the process within 30 days of admission to the youth center.

b. The committee shall review the following material in the youth's master file prior to making a recommendation for the youth's assignment:

(1) Academic or vocational records or both;

(2) Medical, psychiatric, and dental reports;

(3) Assessment reports~~The program assessment report~~ from the referring reception unit;

(4) Sexual Abuse Risk Screening(s), DJJ 0429 and Bunk Issues Form(s), DJJ 0428 completed pursuant to Administrative Directive 04.01.301;

(5) Dates of the youth's commitment, recommitment, parole revocation, and custody date, when appropriate;

(6) Committing and prior offenses;

(7) Any pending charges and related court dates; and

(8) Reports regarding:

ADMINISTRATIVE DIRECTIVE	Effective DRAFT 8/01/2014	Page 3 of 5	Number 04.01.130
-------------------------------------	-------------------------------------	-----------------------	----------------------------

- (a) The youth's need for security and protection;
 - (b) Outside agency involvement;
 - (c) The youth's need for special work with family guardian relationship regarding his or her reintegration with the family or guardian; and
 - (d) Special peer related concerns.
- c. Minimally, the committee, whenever applicable, shall make recommendations for recommend:
 - (1) The youth be assigned to a particular living unit or special program unit.
 - (2) A youth and family specialist is assigned for the youth.
 - (3) The individualized youth be assigned to a general academic or vocational program (such as work and school) or to a special program.
 - ~~(4)~~ ~~A written~~ program plan that may include, but is not limited to, the academic or vocational program, employment training, behavioral health treatment-care, behavioral goals, and custody appropriate for the youth. The plan shall:
 - (a) Identify institutional programming responses to youth program needs and strengths as identified by the referring reception unit program-assessment reportsreport.
 - (b) ~~For those youth in a regular program,~~ provide for a minimum of 830 hours per day of out of room activities which programming during the normal work week and four hours of out of room programming on weekends. ~~This program~~ may include structured and unstructured activities provided by staff or volunteers, such as: leisure time, crafts, institution sponsored clubs and organizations, academic or vocational programs, counseling, work, religion, on or off grounds cultural and social events, organized athletic activities, and specialized activities for youth.
- d. Assignments of lesbian, gay, bisexual, transgender, and intersex youth, shall meet the following additional requirements:
 - (1) Lesbian, gay, bisexual, transgender, or intersex youth shall not be placed in particular housing, bed, or other assignments solely on the basis of such identification or status.
 - (2) In making housing and programming assignments for a transgender or intersex youth, including whether to assign the youth to a facility for male or female residents, the committee shall include input from a mental

ADMINISTRATIVE DIRECTIVE	Effective DRAFT8/01/2014	Page 4 of 5	Number 04.01.130
-------------------------------------	------------------------------------	-----------------------	----------------------------

health professional and consider on a cases-by-case basis whether a placement would ensure a youth's health and safety, and whether the placement would present management or security problems.

- (a) A transgender or intersex youth's own views on his or her own safety shall be given serious consideration.
 - (b) Transgender and intersex youth shall be given the opportunity to shower separately from other residents. This opportunity shall be provided discretely to avoid singling out the transgender or intersex youth in front of the other youths.
- e. The written program plan shall be reviewed and approved by the Chief Administrative Officer or the Assistant Chief Administrative Officer (no designee) and a copy shall be filed in the youth's master file.
- f. The youth and family specialist shall:
- (1) Review the approved program plan with the youth and document such review; and
 - (2) Inform the youth how he or she may request a change in his or her program and that if a request is made and denied, the youth shall be given the basis for the denial in writing and a copy of the denial shall be placed in the youth's master file.
4. Review of Program Plan
- a. At least once per calendar month, a documented ~~staffing case file review~~ of a ~~delinquent~~ youth's progress in relation to the objectives detailed in his or her program plan shall be completed.
 - b. For transgender or intersex youth, at least twice per year, such documented ~~staffing case file reviews~~ shall include a review of any threats to safety experienced by the youth and the youth's current housing and programming assignments.
 - c. The Chief Administrative Officer shall identify the ~~cross disciplinary team who shall be responsible for reviewing the youth's program plan during the monthly staffing. All members of the cross disciplinary team and the youth shall attend staffings, in person or by phone, except when attendance is impracticable. This attendance shall be documented. A youth's assigned aftercare specialist shall participate in at least one staffing within the first three months after a youth's commitment and one staffing within the three months prior to a youth's expected release date. committee members who shall be responsible for reviewing the youth's program plan.~~ Youth who will require alternate placement will need close coordination between the youth center and aftercare.
 - d. The chairperson shall facilitate and moderate the staffing and shall ensure:
 - (1) Input is obtained from staff concerning the youth's progress or problems

ADMINISTRATIVE DIRECTIVE	Effective DRAFT8/01/2014	Page 5 of 5	Number 04.01.130
-------------------------------------	------------------------------------	-----------------------	----------------------------

since the initial program review or the last progress review.

- (2) Current youth performance is compared to stipulations in the written program plan.
- (3) New youth program goals are negotiated or identified and the program plan is modified where appropriate.
- (4) Requests for authorized absences are recommended, reviewed, and submitted to the Program Assignment Committee for processing.
- (5) Recommendations for awarding sentencing credit are made to the Chief Administrative Officer, where appropriate.
- (6) Recommendations for revising the projected Administrative Review Date are made to the Chief Administrative Officer based on programming concerns, where appropriate.
- (7) Youth Requests, DJJ 0286, are reviewed and submitted to the Program Assignment Committee.

- e. The documented staffingreview of a youth's program plan shall be filed in the master file.

5. Review of Social Information

The youth's youth and family specialist shall review the documents relating to social information and initiate any indicated changes or corrections in the reception and classification documents, face sheet, or offense history.

6. Youth and Youth and Family Specialist Contact

A youth and family specialist shall have frequent and consistentweekly face to face contact, at least weekly, with each youth in order to gain a better understanding of the youth's needs, progress and the appropriateness of youth's current program plan. Such contact shall be documented in the cumulative counseling summary. The youth's youth and family specialist will complete a new Sexual Abuse Risk Screening at least every 6 months and when there reason to believe the information previously obtained has changed.

Authorized by:

Original on File

Candice Jones
Director

Supersedes:

04.01.130

AD

DRAFT12/1/2013

Illinois Department of Juvenile Justice		ADMINISTRATIVE DIRECTIVE		Number	05.01.126
				Page	1 of 3
				Effective	3/1/2009 DRAFT
Section	05	Operations			
Subsection	01	Security			
Subject	126	Security Restraints			

I. POLICY

A. Authority

730 ILCS 5/3-2-2, 3-2.5-20, and 3-6-7

20 Ill. Adm. Code ~~2501501~~

B. Policy Statement

The Department shall use security restraints to protecting property, persons, or to ensure the custody of youth. Security restraints shall not be applied for more time than is absolutely necessary or used for the purpose of punishment.

II. PROCEDURE

A. Purpose

The purpose of this directive is to establish a written procedure for the use and control of security restraints.

B. Applicability

This directive is applicable to all youth centers within the Department.

C. Internal Audits

An internal audit of this directive shall be conducted at least annually.

D. Designees

Individuals specified in this directive may delegate stated responsibilities to another person or persons unless otherwise directed.

E. Definition

Security restraints - devices, such as handcuffs, security belts, and leg shackles, approved by the Department for use to limit movement for security reasons.

F. Requirements

The Chief Administrative Officer shall ensure that a written procedure for the use and control of security restraints is established. The written procedure shall provide for the following:

ADMINISTRATIVE DIRECTIVE	Effective 3/1/2009	Page 2 of 3	Number 05.01.126
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1. **Use of Security Restraints**

~~aa. Use of security restraints on youth classified as minimum supervision and low escape risk shall be at the discretion of the Chief Administrative Officer.~~

b. Except as otherwise provided herein, or in accordance with Administrative Directive 05.03.130 regarding pregnant youth, security restraints shall be used:

- (1) To prevent a youth from escaping;
- (2) To retake a youth who has escaped or run away;
- (3) To prevent or suppress violence by a youth against another person or property; or
- (4) When transporting a youth outside the youth center for the purposes of transfers, writs, etc., in accordance with Administrative Directive 05.03.123.

~~b. Restraints shall not be used except~~ when transporting youth assigned to work details outside the youth center or when transporting a pregnant youth for purposes of delivery.

c. Youth on funeral furlough shall be restrained in accordance with Administrative Directive 05.03.127.

d. Except as otherwise provided in Administrative ~~Directives 05.03.123 and Directive 05.03.130 regarding~~ youth assigned to a Security Level Five and pregnant youth, security restraints may be used:

- ~~(1) When moving a youth who is on Confinement Status, Investigatory Status, in disciplinary confinement or an Administrative Hold and awaiting transfer to the Department of Corrections or a more secure setting who is in confinement pending investigation~~ within the youth center; or
- ~~(2) Whenever the Chief Administrative Officer deems it is necessary in order to ensure security within the youth center or within the community.~~

~~e. Every use of security restraints shall be documented. Such documentation shall identify the youth the restraints were applied to; include the date, location and the time the restraints were applied and removed; and the reason for applying the restraints. Shift supervisors shall review all such documentation during the shift in which the restraints were used. The Deputy Director of Quality Improvement shall regularly conduct statistical analysis of patterns in the aggregate of such documentation to identify any uses inconsistent with Department policy and any opportunities to improve Department policy.~~

2. **Inventory and Control**

ADMINISTRATIVE DIRECTIVE	Effective 3/1/2009	Page 3 of 3	Number 05.01.126
-------------------------------------	------------------------------	-----------------------	----------------------------

- a. A written master inventory of all security restraints, dated and signed by the Chief Administrative Officer, shall be maintained.
- b. Security restraints that have not been issued to staff shall be stored and maintained in a secure area or areas that are not accessible to youth.
- c. A log documenting issuance and return of security restraints shall be maintained in the secure area or areas. The log shall include:
 - (1) Date and time issued;
 - (2) Receiving employee's name;
 - (3) Issuing employee's name;
 - (4) Date and time returned; and
 - (5) Name of employee receiving the returned restraints.
- d. A written report shall be filed on lost, broken, or malfunctioning security restraints. The report shall be reviewed by the Chief of Security and maintained on file with the security restraints inventory records for a minimum of one year.

Authorized by:

Candice Jones
Director

Supersedes:

05.01.126 AD 3/1/2009

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER IX: DEPARTMENT OF JUVENILE JUSTICE
SUBCHAPTER d: OPERATIONS

PART 2501
SECURITY

SUBPART B: GENERAL SECURITY

Section

2501.105	Responsibilities
2501.110	Movement of Committed Youth
2501.120	Response to Serious Institutional Disturbances
2501.130	Substance Abuse

AUTHORITY: Implementing Sections 7-1, 7-3, 7-9 and 31A-1.1 of the Criminal Code of 2012 [720 ILCS 5/7-1, 7-3, 7-9 and 31A-1.1] and Article 103 of the Code of Criminal Procedures of 1963 [725 ILCS 5/Art. 103] and Sections 3-2.5-20, 3-4-3, 3-6-2, 3-6-4, 3-7-2, 3-7-4, 3-10-1, 3-10-8 and 3-10-9 of the Unified Code of Corrections [730 ILCS 5/3-2.5-20, 3-4-3, 3-6-2, 3-6-4, 3-7-2, 3-7-4, 3-10-1, 3-10-8 and 3-10-9] and authorized by Sections 3-2.5-20, 3-7-1, 3-7-4 and 3-10-8(b) of the Unified Code of Corrections [730 ILCS 5/3-2.5-20, 3-7-1, 3-7-4 and 3-10-8(b)]. Sections 2501.70 and 2501.220 are also implementing Consent Decrees (Czajaka vs. Brierton, #76 C 772, N.D. Ill. 1977; Drew vs. Sielaff, #73 C 2911, N.D. Ill. 1977; and Meeks vs. Lane, #75 C 96, N.D. Ill. 1981).

SOURCE: Adopted and codified at 8 Ill. Reg. 14628, effective August 1, 1984; amended at 11 Ill. Reg. 14697, effective September 1, 1987; amended at 13 Ill. Reg. 16977, effective November 1, 1989; amended at 18 Ill. Reg. 6328, effective May 1, 1994; the policies embodied in this Part transferred to the Department of Juvenile Justice pursuant to Section 3-2.5-50 of the Unified Code of Corrections on June 1, 2006 and codified at 38 Ill. Reg. ____.

SUBPART B: GENERAL SECURITY

Section 2501.105 Responsibilities

- a) Unless otherwise specified, the Director or Chief Administrative Officer may delegate responsibilities stated in this Subpart to another person or persons or designate another person or persons to perform the duties specified.
- b) No other individual may routinely perform duties whenever a Section in this Subpart specifically states the Director or Chief Administrative Officer shall personally perform the duties. However, the Director or Chief Administrative Officer may designate another person or persons to perform the duties during periods of his temporary absence or in an emergency.

Section 2501.110 Movement of Committed Youth

- a) Handcuffs, security belts and/or leg irons may be used to restrain any committed youth when:
 - 1) Moving a youth who is on Confinement Status, Investigatory Status, or an Administrative Hold and awaiting transfer to the Department of Corrections or a more secure setting pursuant to Section 2504 within the facility.
 - ~~1) A person confined pending investigation or in disciplinary segregation is moved within the facility;~~
 - 2) The~~A committed~~ youth is transported outside the facility, or
 - 3) Determined by the Chief Administrative Officer to be necessary to security.
- b) Committed youth who are transported on writs shall not be permitted visits without the permission of the Chief Administrative Officer and the jurisdiction to which the person is transported. Visits of committed youth hospitalized in the community may be restricted to the immediate family and shall be subject to the general visiting policies of the hospital.
- c) A committed youth shall be accompanied by at least one Department employee of the same sex, to the extent possible, while being transported outside a correctional facility, except in cases of an emergency or as otherwise provided in 20 Ill. Adm. Code: Chapter IX. This subsection does not apply to the Aftercare Services Division except when transporting aftercare release violators.

Section 2501.120 Response to Serious Institutional Disturbances

- a) The Chief Administrative Officer may confine committed youth temporarily in all

or part of the facility when determined necessary in order to maintain security of the facility or the safety of committed persons, employees or other youth.

- b) The decision to impose a lockdown shall be reviewed and approved by the Director, whenever possible, prior to the imposition of the lockdown, but in any event, promptly thereafter.
- c) Continuation of the lockdown shall be reviewed every 10 days by the Chief Administrative Officer and the Director.

Section 2501.130 Substance Abuse

- a) Committed youth shall be subject to testing for unauthorized use of drugs and alcohol on a random, routine, or reasonable suspicion basis. Such testing shall not be used to harass, intimidate or unduly embarrass committed youth.
 - 1) Drugs shall mean any substance ingested, inhaled or injected which is used to prevent a disease or as narcotics, stimulants, depressants or other chemical substances, including controlled substances identified in Section 3 of the Cannabis Control Act [720 ILCS 550/3] and the Illinois Controlled Substances Act [720 ILCS 570/102] and over-the-counter medications.
 - 2) Alcohol shall mean any substance ingested which contains alcohol, including beer, wine, liquor, liqueur, cough medicine, etc.
- b) Testing shall be conducted on a random basis as determined by the Chief Administrative Officer in a manner in which neither staff nor committed youth may predetermine the frequency or on whom the testing will be conducted. Random testing may include, but not be limited to, testing of the entire youth population of the facility, or specific units or program areas within the facility.
- c) Testing shall be conducted on a routine basis as determined by the Chief Administrative Officer.
- d) Testing shall be conducted as ordered by the Duty Administrative Officer or above due to reasonable suspicion when objective facts and circumstances warrant a rational inference that a person is using or is under the influence of drugs or alcohol. Reasonable suspicion may be based, among other matters, upon:
 - 1) Observable phenomena, such as direct observation of use and/or the physical symptoms of being under the influence of drugs or alcohol;
 - 2) A pattern of abnormal or erratic behavior;
 - 3) Information provided by reliable and credible sources or which is

independently corroborated; or

- 4) A committed youth's possession of unauthorized drugs, drug paraphernalia, or alcohol or discovery of same in an area controlled or occupied by the committed youth.
- e) Committed youth shall be subject to discipline in accordance with 20 Ill. Adm. Code 2504 for failure to submit to drug or alcohol tests; for tampering or attempting to tamper with the specimen or test results; or where their test results reveal unauthorized use of drugs or alcohol.