Questions Submitted by Workgroup to Prisoner Review Board
June 14, 2010

Short term:
Programming

- What factors contribute to the PRB's decision to mandate "programming" as part of a youth's conditions of parole?

1. Youth may have an extensive Run History. May mandate electronic detention or GPS and establish a curfew.
2. Youth is 16 years old or younger. May mandate school attendance.
3. Youth is over 16 years of age. May mandate school attendance as well.
4. Youth has earned high school diploma or GED. May mandate higher education or vocation/trades programming.
5. Youth has history of substance abuse and unsuccessful inpatient treatment. May mandate out patient substance abuse treatment.
6. Youth has DSM1V diagnosis and facility clinician recommends out patient therapy. May mandate out patient therapy.
7. Youth on psychotropic medication. May mandate psychiatric follow up for medication monitoring and compliance and blood levels be drawn.
8. History of strained family relationships. May mandate family therapy.
9. Youth is a Juvenile Sex Offender. May mandate out patient juvenile sex offender therapy.

o If "programming" is mandated, how does a youth receive the mandated services?
o The facility Youth and Family Specialist submits a Support Services Request to Deputy Director of Programs for review that is submitted to the Placement Resource Unit (DOC) who secures the service and sends information to the Parole Agent Supervisor (DOC) for implementation. If funding is needed Deputy Director of Programs approves payment.

o If not mandated, is "aftercare programming" recommended?
o The facility Youth and Family Specialist completes the Institutional Progress Report in Support of Parole Consideration. This report contains recommended services the youth should receive when he/she is paroled. The PRB uses these recommendations in addition to their own recommendations to establish conditions of parole that may include involvement in structured leisure time activities, involvement in a mentoring programs, faith based attendance, community service, attend a parenting program if appropriate, no contact with the victim may be required, participation in a career training program, etc…

o If so, from where does the PRB receive its information about programming in the community and does it participate in any linkage or referral to community programming?

o The PRB may receive it's information from Parole Services. The PRB usually does participate in linking youth to services. The facility Youth and Family Specialist completes and submits the Support Services Request as described above. The PRB will often question the suitability of programming or suggest alternatives.

- What programming, if any, is present within DJJ to prepare youth and their family members for presentation to the PRB, release, and reentry?
- Each facility has a Pre Parole Program that all youth presented for parole consideration must attend. In some instances a Parole Agent is available during this program. Parole Rules are reviewed, Prisoner Review Board Orders are reviewed, youth receive a list of community services available in their area, Registration for Selective Services are reviewed, obtainment of identification is reviewed.

Youth and Family Specialist telephones family to inform them of the youth's scheduled appearance before the Prisoner Review Board and reviews recommended services for the community. Reviews parole rules with family.

After a PRB hearing, if youth is granted parole, Youth and a Family Specialist reviews the outcome of the Parole Board orders and makes transportation arrangements with the family. If youth is going to placement the placement is contacted and transportation arrangements are finalized for the youth's intake.

- What are the counselor's role and responsibilities regarding a youth's release and re-entry?
- Youth and the Family Specialist are responsible for monitoring the youth's program participation in the facility in accordance with their Projected Administrative Review Date and completes the youth's Notice of Eligibility for Parole Consideration giving the Committing Court 30 days to object to the youth's parole which is then presented to the Prisoner Review Board, or Youth may be withdrawn from parole presentation based on the seriousness of the objection if one is received. The Institutional Progress Report for Parole Consideration is completed and reviewed with the youth which contains recommendations for community programming. Contact with family or alternate placement is made to schedule parole presentation before the Prisoner Review Board. The recommended host site is entered into the Juvenile Tracking System to electronically notify parole that a host site investigation is needed, and within 2 weeks the host site is approved or denied. Youth is then put on the PRB docket for parole consideration.

- What are the counselor's qualifications?
- The Youth and Family Specialist position is an "Upward Mobility" position, so we have Youth and Family specialists that are working toward receiving their Bachelor Degrees. The majority of Youth and Family Specialists do possess a Bachelor's Degree in a Social Services related field or Criminal Justice. Numerous Youth and Family Specialists have Masters Degrees. Our office has a listing of all Youth and Family Specialists and their credentials/degrees, and if needed this can be provided.

- What in-facility programming, specifically, encourages parole board members to extend a youth's commitment until completion of said programming? (often after revocation) Youth who start GED programs or sex offender programs are prime candidates for extended commitments. Board members generally feel that participation and completion of these programs is necessary to assist the youth in their rehabilitation.

Eligibility for hearings

- During the last , how many youth did DJJ recommend for parole at their parole hearing? See Admissions/Departure Report for Calendar Year 2009 (attached)
- During the last , how many youth did DJJ recommend for parole at their "annual review"? The Department of Juvenile Justice does not recommend release at an Annual Review Hearing. If the youth was recommended for release he/she would be recommended for a Parole Hearing instead.
- During the last , how many youth requested a PRB hearing? One youth requested a PRB hearing via their attorney.
- How are youth informed of their right to request a PRB hearing? Each school contains a law library and state statutes.
- During the last , how many juveniles were presented to the PRB on a technical violation or new charge? This information will be gathered from the facilities next week and provided to you.

Hearings

- How does the PRB promulgate its guidelines for consideration of youths?

The PRB does not promulgate any written or unwritten guidelines for parole consideration. The PRB historically conveyed to counselors what their expectations are for youth to receive serious consideration for parole. Such expectations include: the Youth's rehabilitation as reflected in the number, nature and dates of the disciplinary tickets. Also, the board looks at family support, aftercare, programming, the youth's demeanor, institutional accomplishments, their length of stay, and criminal record, among other factors.

- What standards / guidelines are used by the PRB in making its decision?

(See above). The PRB looks at Chapter 20 Section 1610.35 of the Administrative Code sets out the criteria used to parole juveniles.

- Are the guidelines used by the PRB in making its decision written?

Other that the above referenced statute, the PRB does not use guidelines to make its decision.

- From where does the PRB get the information considered during a PRB hearing (written and in-person)?

- The youth's Master Record File contains all information that the PRB reviews in consideration of their PRB hearing: Committing Court Documents, Probation Social History, Clinical Services Information, Classification Information, Substance Abuse Information, Integrated Service Plans, Monthly Staffing Reports, Disciplinary Reports, Education Information, last Parole Board Orders if any, Letters of Objection or Support, Institutional Progress Reports in Support of Annual Review Hearing or Parole Consideration, Victim Notification Requests and Placement Investigation, etc… DJJ counselors and other professionals stay often to attend the hearing, as do DCFS caseworkers and other providers as appropriate.

How often does a family member write something, if unable to attend? Infrequently

How often does an attorney write something, if unable to attend?

When youth are committed to the Department of Juvenile Justice their attorney representation is normally completed. The exception being representation provided by Bloom Legal Clinic at Northwestern University School of Law. There have been approximately 5 youth with this representation in the past year.

- How often are counselors present at PRB hearings?

IYC-Chicago-counselors are present
IYC-Harrisburg-Counselors are rarely if ever present.
IYC-Joliet-Youth and Family Specialist, Supervisor, and Clinical Services Supervisor are present.
IYC-Kewanee-Youth and Family Specialist Supervisor is present along with a some Youth and Family Specialists. The PRB has changed the hearing schedule to afford greater staff participation.
IYC-Murphysboro-Youth and Family Specialist and Clinical Services Supervisor are present.
IYC-Pere Marquette-Youth and Family Specialists are present.
IYC-St. Charles-Youth and Family Specialists and Youth and Family Supervisor are always present.
IYC-Warrenville-Youth and Family Specialists and Clinical Services Supervisor are always present.

Please note that Assistant Superintendents and Superintendents, and in some instances the Deputy Director may be present.

- How are juveniles able to access public defenders prior to a parole hearing?

Public Defenders are no longer involved in youth cases following their commitment to the Department of Juvenile Justice.

- How often are lawyers or other advocates present at PRB hearings?

Infrequently.

- How often are lawyers or other advocates present at revocation hearings?

Infrequently.

- How often are family members present at PRB hearings?

This varies by facility. Northern facilities are much more successful in having families attend parole hearings-70% of time, compared to 50% at Southern facilities. This is due mostly to the geographical challenges presented to families who often cannot travel to Southern Illinois.

- How often are family members present at revocation hearings?

It varies, depending on the proximately of the family.

- How often is no one present at a PRB hearing?

Facility staff are always available to the PRB members, however, there are hearings where there are no family or staff members.

  - At those hearings, what is the evidence that the PRB member considers in his/her decision making?
  - The youth testimony, Youth and Family Specialist testimony, Master Record File information including last PRB Board Orders, and in parole revocation hearings the Returned Parole Violation Report, available arrest reports, and Morrissey Brewer Hearing and Notice of Charges Reports. There is a misconception that the Board does not parole youths who do not have a family member present. The rate of release is probably the same as those who have parents/loved ones present

- What are due process concerns as it relates to current parole board hearings?

The Board can value the participation of attorneys in the parole process. There is no question that attorneys would provide additional due process protection. Having said that, the Board is very sensitive to those issues.

- How many juveniles waive their right to a preliminary hearing (revocation)?

75%

- For what reasons, if any, are juveniles removed from PRB hearings?

Placement at the recommended host site is denied by Parole Services.
Recommended Alternate Placement in community has not been secured by the Placement Resource Unit or there is no bed available at the recommended Alternate Placement.
Youth's behavior deteriorates prior to scheduled parole hearing.
Serious Letter of Objection to the youth's parole is received from the Committing Court.

  - How often are juveniles removed from parole board hearings?

    10%
  - If a juvenile is removed from a parole board hearing, does the hearing continue?

    No, because the youth was not presented.
    - If so, how often is the youth released?
    - If so, how often is the youth denied parole?
    - If not, what happens? (IE does it get postponed to the next month?)

    The Program Assignment Committee recommends to the Superintendent the extension of the youth's Projected Administrative Review Date, the youth's is placed on the next PRB Docket if placement is secured, if removed for Disciplinary reasons and "delay to the Prisoner Review Board" or "revocation of Good Conducts" is recommended the Superintendent can approve, reduce, or deny the extension in accordance with Disciplinary Rule 504.

PRB

- What are each current PRB member's expertise and training as it relates to youth?

Most current Board members have been on the Board for an average of 6 years which allowed them to acquire additional expertise in juvenile matters. Board members receive in service training throughout the year.
Jorge Montes is a lawyer since 1988. He worked at the State's Attorney Office.
Ed Bowers is a former police officer.
Sal Diaz is a former Cook County Sheriff as a Child Abuse Investigator.
Craig Findley is a current member of Lincoln Land Trustees.
Tom Johnson is a lawyer who was the chairman of the House Judiciary Committee.
Jessie Madison was General Superintendent of Chicago Park District.
Milton Maxwell is a former probation officer.
Geraldine Tyler has a Master's Degree in Corrections and a former probation officer.

- What other release decision making processes and systems are used in other states?

In some states the Committing Court retains jurisdiction in releasing youth. Others, Administrative Offices are the releasing authority

Release

- How often are juveniles released at their "annual" hearing?

Infrequently-5 to 10%

- How often are juveniles released at their ARD hearing?

Releases vary from facility to facility. The PRB does an Annual Report and percentages for each facility are provided. Facility ranges are between 99% to 85% of youth released at their Parole Hearing.

- How often are juveniles released at a revocation hearing for a technical violation?

This will be provided from DJJ next week.

- How often are juveniles released at a revocation hearing with a new criminal charge?

1 to 5%

- How often are juveniles released at a revocation hearing with a new juvenile charge?

1 to 5%

- How often are juveniles released at a preliminary hearing?

1 to 5%

- How often does the PRB release a youth, when DJJ has not recommended release?

Youth are not presented to the PRB for parole consideration when the Department does not recommend release.

- How often does the PRB not release a youth, when DJJ has recommended release?

20% of the time. Normally, the PRB will continue the Parole Hearing for 30 to 60 days to determine if the youth can abide by the facility rules. An update of the youth's programmatic adjustment is then provided to the PRB at the next continued PRB Hearing.

- Identify concerns with regard to the PRB detaining a juvenile in a facility pending a court decision on the charge for which that juvenile was brought back in front of the PRB after release?

This can create undo anxiety in youth due to not knowing what is going to happen.
Youth may not believe their program participation matters as they have not been revoked and do not know what their status will become.

- How often does the PRB provide a juvenile with a written copy of his/her parole orders?

The Youth and Family Specialist has each youth sign their Original PRB Board Order and provides each youth a copy of the PRB Board Order.

- How does the PRB determine conditions of release?

Services are recommended in the youth's Institutional Progress Report for Parole Consideration, a review of Master Record File information including the Probation Social History, programming provided in the facility, family considerations, youth's prior adjustment on parole, Clinical Services information, etc…

- How often do PRB members deny parole and/or continue the commitment in order for a youth to complete programming?

The PRB has no authority to continue the commitment of a youth. This is statutorily driven based on the Class of Offense or youth's 21st Birth date, or their felony sentence.
Denials vary by facility, but on average denials are 1 to 10% of the time for youth recommended for Parole Consideration.
Continuances are 15% of the time normally for disciplinary infractions contained within the youth's Master Record File.
Keep in mind that the Parole Consideration Hearing is scheduled for youth based on their successful completion of recommended program services.

Long term:

Institutional Changes

- Discipline: What would comprise a "middle-ground" discipline within the institutions?

All facilities have a Behavioral Motivation Program which determines the level of each youth with correlating privileges associated with their level.
Level 1 being the highest receives additional telephone calls, Canteen/Movie privileges, commissary purchases are increased, off grounds activity eligibility, use of electronic equipment in their rooms, off grounds food purchasing, extended family visitation, reduction of projected Administrative Review Date, on grounds job assignments, etc…
Positive Behavior Incentive System (PBIS) is implemented in DJJ's School District #428 allowing for purchases in the School Store. Provides positive incentives within the School District.

- Programming: Create process/system/programming which begins on day one of commitment which prepares youth and family for release, presentation to the PRB and re-entry?

The Program and Case Management Administrative Directive may assist you with this question.

- Continuity of services
    - What are the best practices or models which provide support to youth prior to release and throughout parole?

Current best practices within DJJ are the Visa and VOICE Disk mental health screening instruments, Suicide Probability Scale, a host of psychological assessments that I will provide in a separate email, Seeking Safety Curriculum, VOICES Curriculum, Juvenile Assessment and Intervention Strategies, Performance based Standards implemented statewide at all facilities, Girl Matters Curriculum

implemented at both female facilities at Warrenville and Pere Marquette, PBIS within School District #428. Currently implementing Aggression Replacement Training statewide, and dependent upon Grant Awards may be implementing Family Intervention Training at IYC-Chicago and then rolling this out to other facilities. In addition to Second Chance Act Grants-Mentoring and Reentry, CSAT grant for CBT5, and DMH Grant for female reentry for youth with co-occurring disorders. Also, will receive recommendations from MacArthur Foundation Mental Health Technical Assistance Team for program implementation.

PRB

- What training and expertise should be required for PRB members or other release-decision makers? PRB has received initial Juvenile Assessment and Intervention Strategies training from DJJ. It would be useful for members to attend mandated workshops on juvenile criminal justice issues. Future members must all have some experience in juvenile issues.
- Are there written guidelines which can be promulgated to provide a jurisprudence or basis for decision making? The board must commission an expert to design a risk assessment tool to assist in parole and revocation hearings.
- What are the other mechanisms by which release decisions are made?

Some cases call for a larger panel to decide a particularly difficult or sensitive case.
What are the advantages and disadvantages of the other mechanisms?
Larger panels at not always possible to assemble.
What does a third party add to the release decision making process?
Depending on who the third party is, their participation can be invaluable. Parole officers should participate in revocation hearings.

Parole officers

- Revocation (problem: adult parole agents are violating youth more because they hold them to the same standard as adults)
    - How to train parole agents in juvenile issues and needs?
    - How to ensure that PRB members receive information from the Juvenile or Criminal Court regarding detention or bond rulings?

Notification and presence at hearings

- How to improve the notification of a PRB hearing to family members? Possibly phone calls to family members.
- How to reduce the barriers to family attendance at hearings? Telecommunication system.
- How to increase the availability of advocate or lawyer to youth at PRB hearings? Allow the State to contact a list of witnesses.

Due process concerns

- After identifying due process concerns as it relates to current parole board hearings, how to fix or ameliorate said concerns?