Communications Report



# Your Words Matter: JHA Quarterly Communications Summary January - March 2023

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## Introduction

Between January and March of 2023, JHA fielded 391 communications. This included 202 letters from individuals incarcerated in Illinois Department of Corrections (IDOC), out-of-state, Illinois county, federal, or other kinds of custodial facilities; 81 phone calls, and 108 emails from people in the community. This report aims to provide an overview of the most widely shared concerns and issues people communicated to JHA this quarter regarding IDOC prisons.

We believe that reform and system change must be based on the current realities of our prison system. At JHA, we gather information by going into the prisons to observe, monitor, gather data, and speak with people who live and work inside the facilities. Additionally, as these summaries report on, we receive both privileged mail from incarcerated individuals and other contacts from their outside supports on a constant basis.

JHA also began conducting a new "Measuring the Quality of Prison Life" evidence-based survey in IDOC prisons in the summer of 2022; by April 2023, we had sent surveys to every incarcerated individual in all secure facilities. As of March 2023, we had received roughly 7,500 completed surveys. We expect that number will increase in the coming weeks and months. While surveys now make up the bulk of the information coming into our office, information from these will be separately reported; review and analysis is ongoing.

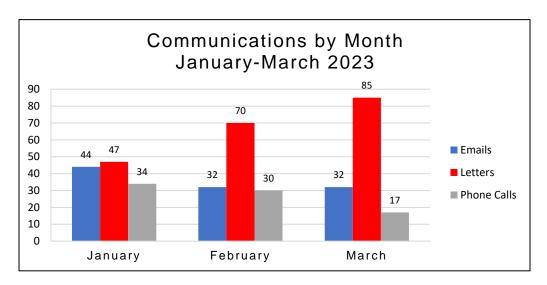
It is the experiences that people in prison share with us that drive our priorities and advocacy efforts. To inform stakeholders, partners, and the public about the realities of Illinois prisons, JHA shares what we are hearing from individuals in prison through reports, statements, and communications updates. Please note that JHA is not able to investigate or confirm much of the information shared. JHA also acknowledges that there will be wide variation in issues and practices over time and across the state. We share this information as an anecdotal resource to promote system and organizational transparency, and to increase public awareness of the issues impacting people who live and work in Illinois' prisons.

Please check back each quarter to learn more about ongoing and emerging issues, concerns, changes to policies and practices and efforts to reform our carceral system into one that is rehabilitative, less populous, and humane. <u>You can find our previous quarterly report here</u>.

JHA is grateful to the people in IDOC facilities, as well as their loved ones, for sharing their experiences, perceptions and insight into what is happening inside our prisons.

Your words matter.

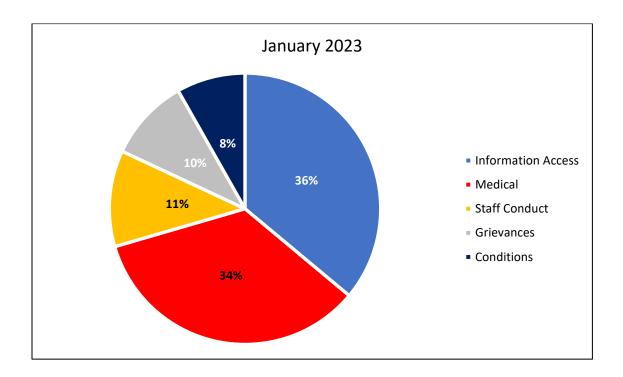
### Communications by month:

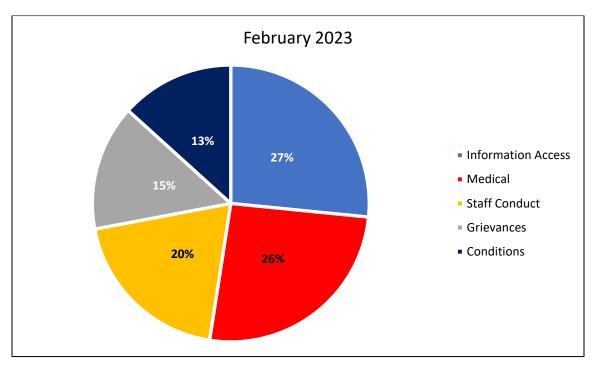


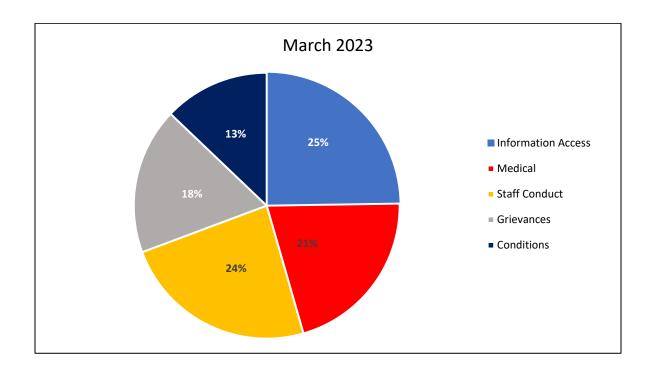
Facilities that people wrote to JHA from the most in January through March 2023:

IDOC Prison	Percentage	Number of
	of Letters	Letters
Pinckneyville	12%	23
Dixon	9%	19
Menard	7%	15
Big Muddy River	6%	13
Danville	6%	13
Graham	6%	13
Stateville	6%	12
Shawnee	5%	10
All other IDOC facilities	36%	72
County Jails	4%	7
Out of state/other	3%	5

Top categories of issues reported to JHA by month:

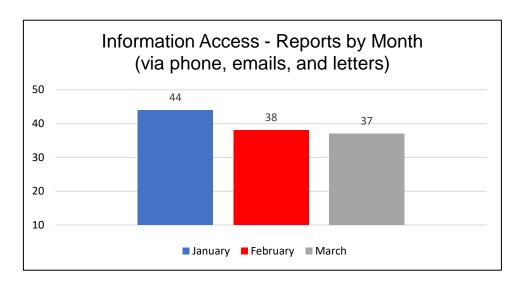






# **Access to Information**

Following the trends from previous reporting, the most common issues raised by people incarcerated in IDOC this quarter were related to lack of access to information. Incarcerated individuals often request a variety of information including legal resources, updates on current events or changes in laws that affect them, information about their legal case or sentence, or information about IDOC policies. Requests may depend on their individual circumstances, such as the type of facility they are in and the length of their sentence. Access to this type of information can vary depending on one's facility and housing status. Many incarcerated people have asked for information about legislative changes that might relate to their sentencing, current IDOC policies, or for case-specific and legal materials. Often, they were not able to obtain this information at their prison's law library.



Requests for information declined throughout this quarter, from 44 reports in January to 37 in March. Many IDOC policies are now publicly available to those outside of prison on its <u>website</u>. **JHA continues to request that additional policies be added to the IDOC website and for people to have access to policies within prisons.** Based on JHA's review, policies that should be public remain missing from the webpage as of May 2023, although 359 were listed. **JHA continues to encourage IDOC to review and amend this issue, and to assure ongoing updates.** 

Of the information requests that JHA receives, a few types of requests are particularly common. First, individuals often write to JHA for information on legislative changes related to sentencing and good time opportunities. In January, an individual at Graham Correctional Center wrote, "I am asking that you send me any information on any new bills that have went into effect as of January 1, 2023, that pertain to any percentage changes of sentencing, like if 50% has changed to 35% and so on. Also, any bills...about good time credit." It is common for rumors of legislative changes to circulate in prisons without the context that many legislative changes only come from a long public process and that often bills are introduced that do not result in any changes to law.

As above, individuals also request information on IDOC policies that they cannot access within their facility:

Help me attain the Information I am in search of. Is it Possible if I can be sent a list of all 'The III. Admin. Codes of I.D.O.C". I am having trouble trying to get Certain "III. Admin. Codes" through the "Freedom of Information Act" because I don't have the precise codes I need to attain these documents.

I was also told through the Law Library that the information I seek is not within their reach. So this is my only option I have left.

- Individual in custody at Menard, February

The corrections part of the Illinois Administrative Code is available online and should be in prison libraries. However, often it is difficult for people to find what they are looking for with limited access or understanding, and often these rules are too cumbersome or too vague to be helpful or instructive for people seeking guidance on what should be occurring for them. Often rules have exceptions or allow agency discretion that does not permit certainty, and sometimes there are simply not any rules directly on point regarding the issue people want to better understand.

An individual incarcerated at Vienna wrote to JHA in January seeking information about a specific housing policy for individuals with sleep apnea. As this person understood it, a mandate was created during COVID-19 for people with sleep apnea to be housed in single-cells. This person was housed alone from mid-2020 to early 2022, but was unexpectedly assigned a cellmate after filing a grievance in February 2022. This individual was unable to get specific information on this possible accommodation mandate from IDOC, including whether it was still in place. **Individuals should have access to policies that directly impact their daily lives.** 

MATION I SEEK IS: (1) A COPY OF "ANY AND All MEMORANDUMS EXHIDITING the language of the Mandate (2) the citation for the Illinois House
AND/OF SENATE BIll HUNDER MATING of law AND (3) ISSUE OUT A Short
STATEMENT EXPRESSING Whether the MANDATE IS CURRENT law still hope
IN Illinois or advise me on any changes. Thanks in advance.

- Individual in custody at Vienna, January

Finally, incarcerated individuals write to JHA for information about their cases, with requests for copies of their criminal justice records, and asking for legal materials. For example, in January, an individual in Stateville wrote to JHA, asking "is it possible [that] I could get my last court transcripts?...Or could I have the police reports from the same case?...This information will be life changing for me." In February, an individual in Dixon wrote, "I would greatly appreciate it if you could please send me one complete copy of the post-trial remedies handbook."

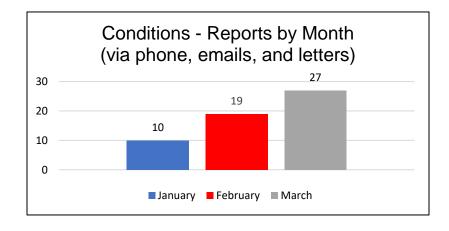
Unfortunately, JHA cannot fulfill people's requests, but we continue to advocate for more information and help to be made available for people in prison, who often have no recourse.

Others lack basic information or guidance regarding applicability of sentencing credit, as someone wrote from Hill CC in January "My question is, how can I get my good time out of my Masterfile, that I earned to get some kind of relief." Another reported barrier to information access is the time it takes for incarcerated individuals to receive outside communications, like mail delivery. JHA is hearing about problems in relation to staffing issues in prisons. In early 2023, IDOC reported a 22% deficit in staffing for authorized positions across all prisons.

"Do you have any info about why this facility is not giving inmates no recreation? No yard nor gym. We've been outside 2 times in the last 7 months. We are confined to these cell house all day, every day."

- Individual in custody at Dixon, February

# **Conditions**



Concerns related to prison physical conditions have also been frequently communicated from people at different prisons across the state. Much of IDOC's prison infrastructure is old, systems are antiquated, and maintenance has been deferred for many years. As a result, reports include descriptions of the experience of being housed in buildings where mold, poor ventilation, pest infestations, and reports of extreme temperatures are received by JHA throughout the year. In the past three months, there's been a significant rise in concern about the conditions of the facility from 5% in January to 13% in March.

"The concern of vermin and underuse of extermination to roaches/gnats has been an ongoing issue" – Individual in custody at Danville, March

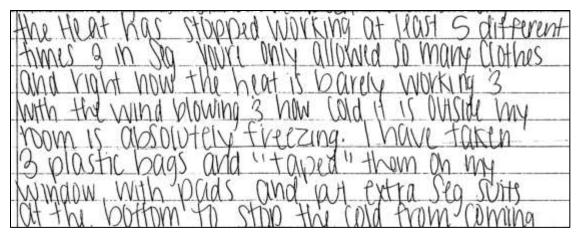
Concerns about water in IDOC, ranging from reports about observable substances or discoloration in the water, strange tastes and odors, and fears regarding illness from water have also been longstanding issues in several prisons.

### **Extreme Temperatures**

Extreme temperatures inside prisons—including lack of air conditioning in the summer and insufficient heat, supplemental clothing, or bedding to keep warm in the winter—and poor ventilation have been ongoing issues inside IDOC prisons. JHA received 14 communications about extreme temperatures within IDOC facilities, with several reporting temperatures below freezing inside the facilities in the first quarter of 2023. Safe living conditions for people in custody is a human right, not a privilege.

"Multiple times in the last 6 weeks, myself and others on morning med-line have been forced to stand outside of healthcare in frigid temperatures, sometimes for 20-45 minutes at a time" – Individual in custody at Taylorville, February

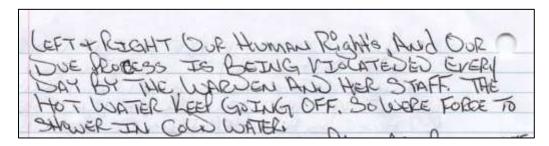
Someone in Pinckneyville wrote in February, "The walls are sweaty and sometimes its freezing in here, I have to boil water out of the hot pot to keep warm."



Individual in custody at Logan, February

### Water Supply

People incarcerated in IDOC facilities continue to express concern about poor water quality based on taste, odor, and discoloration. For example, someone in custody at Logan wrote in February describing that the water "is cloudy and milky colored." JHA continues to see increases in the number and of these reports.

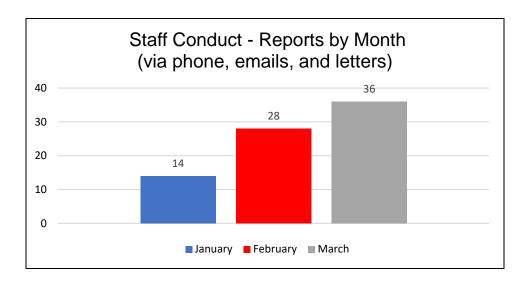


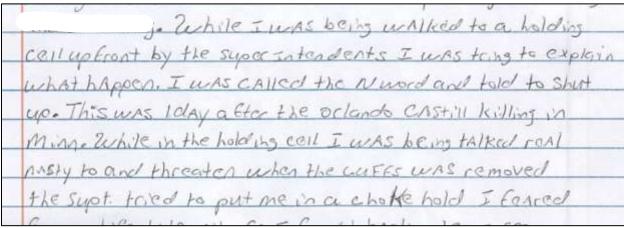
- Individual in custody at Lawrence, February

In recent legislative <u>testimony regarding the Fiscal Year 2024 IDOC budget</u>, JHA noted ongoing and increased concerns around the safety of water and sanitation systems in several Illinois prisons, and reiterated the importance of addressing these issues promptly and effectively to ensure the health of everyone who lives and works in IDOC facilities. **JHA continues to work** with the prison water coalition to identify new violations, make them publicly known, and push for the IEPA and IDOC to inspect, repair, and replace water and sewage systems in facilities where environmental standards have been violated. We also continue to advocate for the health of incarcerated people along with our partners in the field of environmental justice.

## **Issues Related to Staff**

### **Staff Misconduct**





- Individual in custody at Pinckneyville, January

Staff misconduct is another recurring issue about which JHA regularly receives reports. Reports on staff misconduct to JHA have risen in the past three months, from 8% in January to 18% in March. Unfortunately, another ongoing issue people in custody also frequently report to JHA is either not receiving a response to grievances concerning staff conduct, or they report fearing that they will be retaliated against if they submit such a grievance.

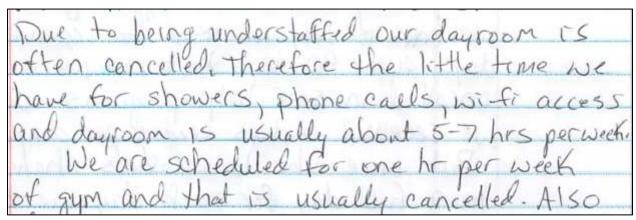
The (Staff) in This institution is Always Talking Chazy To The inmates in This institution, AND They Time A Grievance is whose, We will not see This Grievance for (4-10,5 Months) What CAN WE DO?

- Individual in custody at Western Illinois, January

One individual in Western wrote in March that "the staff down here love to talk crazy in general to individuals. Cursing, threatening and aggressive behavior towards inmate, as well as harassment." An individual in Vandalia wrote to JHA in February about being mistreated by staff during a transfer from Stateville. This person needed to use the restroom but was unable to during the transfer. He wrote that an officer "verbally assaulted me, yelling and harassing, loud talking [to me] until we arrived." And that he was ultimately given no choice but to relieve himself without access to a bathroom, "I requested to use the washroom...[they] let every other inmate that was riding the IDOC bus use the Taylorville CC bathroom except me. I stood out of the bus in January, cold, wet, stressed out and isolated. For what?"

As an organization, we attempt to separate out concerns related to the actions and behavior of individual staff that fall outside of IDOC protocol from those that are a critique of IDOC policy and practices; "Staff Conduct" concerns are ones that relate to misconduct.

# **Staff Shortages**

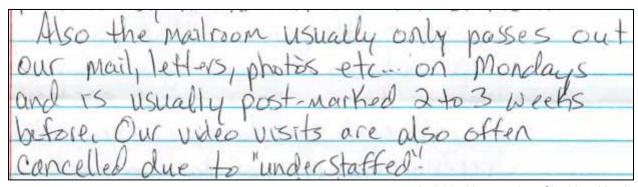


- Individual in custody at Sheridan, March

Related to staff, many incarcerated people reported that facilities have been impacted by the ongoing staff shortages that are affecting IDOC prisons across the state, as noted above. Someone incarcerated at Sheridan wrote to JHA in March that, "Mental health staff is extremely short staffed...which leaves the large population of mental health prisoners [here]...to fend for

themselves psychologically when episodes of despair, defeatism, [and] high stress sets in...No counseling or follow up most times for at least 50% of the mental health prisoners here...which most times leads to suicide and self-mutilation based behavior patterns."

Staff shortages result in significant limitations to out-of-cell time, communications, and availability of services and programming. Such opportunities to communicate with loved ones, access programming, and spend time outside of one's cell are vital to the wellbeing of incarcerated people. Staffing deficits not only affect out-of-cell time and program opportunities, but also medical and mental health care.



- Individual in custody at Sheridan, March

While IDOC (like many prison systems across the country) works to reach full workforce capacity, changes must be made to population and practices. Reallocating staff within a facility to maximize out-of-cell time and participation in programming is of critical importance. Permanent lockdowns, as described by the writer from Sheridan below, are not a tenable solution. This problem should spur Illinois to consider expanded utilization of existing sentencing credit mechanisms, increasing these kinds of policies via legislation or internal directives, and by closing prisons and sending staff to other facilities to ensure programming and out-of-cell time for people who are incarcerated.

I've been here for 14 months and this facility has been without a head warden the entire time. They constantly use it as an excuse for all their incompetentness. That and covid! There is zero supervision or accountability. They seem lost here!

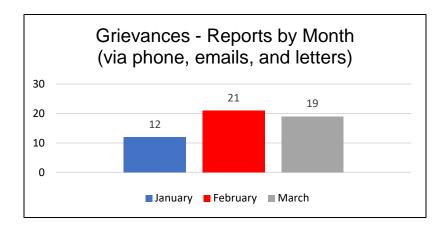
- Individual in custody at Illinois River, February

Shortness of staff also affects the mail access, E-Mail access, video visit's access, assignment detail access, and, Voc/Edu school access. Which collectively, creates a lockdown based circumstance. A situation where the prisoner's are only allowed to walk to chow and then placed back on the cellhouse wings with no access to rehabilitation, on a daily basis.

- Individual in custody at Sheridan, March

In JHA surveys conducted at <u>Sheridan</u> in 2022 as part of the abovementioned systemwide survey, 70% of respondents reported they were not getting at least two hours outside of their sleeping areas per day; 52% disagreed that they had opportunity to go to yard at least twice a week, and 89% agreed that incarcerated people spent too long locked in cells.

### **Grievances**

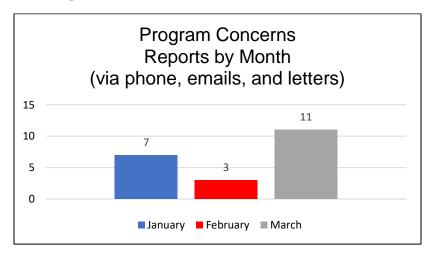


The IDOC grievance system is meant to provide incarcerated individuals with an avenue to voice complaints and questions in writing and receive a response. We have received reports of grievances being denied, staff not responding to grievances, grievances not being received by staff or acknowledged, and even the complete unavailability of grievance forms. Section 504.830 of Title 20 states that "grievances shall be reviewed and a written response [shall be] provided to the offender," though many grievances are reported to not get responses. Incarcerated individuals also per the grievance rule may be allowed the "opportunity to appear before the Grievance Officer unless the grievance is deemed without merit." When grievances go missing or are made unavailable, incarcerated individuals are denied their right to resolution. Grievances including "discrimination based on disability" or accommodation requests are expected to be forwarded to the facility ADA coordinator for further investigation. Many copies of grievances we receive regard the denial of medical treatment or disability accommodation. Lastly, people in custody are impeded in their civil right to sue when they are unable to exhaust administrative remedies if they are unable to comply with state grievance procedures, which must be done in order to file a lawsuit under the federal Prison Litigation Reform Act (PLRA).

- Individual in custody at Shawnee, February

Based on what is shared with JHA, many people lack faith in the grievance system. JHA continues to advocate for the current IDOC grievance system to be reformed; having a system that people do not trust, does not consistently respond to grievances or publicly report accurate grievance data, and does not provide ways to utilize the system independent of correctional staff involvement is deeply problematic.

### **Programming**



In recent months, there's been an increase in the number of concerns communicated to JHA about the lack of programming in IDOC, an issue connected to lower staffing levels inside prisons. Programming can range from educational courses, self-betterment workshops, vocational or skill building classes and transitional programs. Though these programs are listed as running in specific facilities, many of them are currently unavailable or occur on a sporadic basis. There were a total of 21 instances this quarter where an individual wrote to JHA regarding programming issues, including a concern from an individual at Shawnee in January that, "They do not have a drug program here which they say they do, and are receiving money from the state for." An individual in Pontiac similarly commented in January that, "they had a Critical Thinking and Writing of Current Events [program], but that program is no longer available."

There are several reasons why programs may not be running in Illinois prisons at any given time. There are budgetary constraints where funding for programs in prisons may be limited, and the state may not have sufficient resources to fund all the programs that are needed. Also, if programs are provided through contracts with outside providers or volunteers, there can be issues about those arrangements. If there are staffing shortages or high turnover rates among prison staff, it may be difficult to keep programs consistently running. The ongoing pandemic disrupted the normal operation of programs in Illinois prisons, as restrictions made it difficult to conduct group activities and programming. Also, it may be the case that individuals may not qualify for programs due to prioritization of people by outdates or security concerns, for example, or that staff feel that it is not safe to allow a program to run due to other factors, such understaffing.

As mentioned above, there are many restrictions on who is eligible for programming, including related to an individual's sentence, their housing status, or the amount of time left on their sentence. As an individual in Shawnee wrote in January, "if you are a sex offender, you cannot take any of the programs unless you complete the sex offenders' VSOP [Voluntary Sex Offender] program. They do not have that here at all, so no sex offender can take programs [and] cannot get a contract for good time at all, which is discrimination towards us."

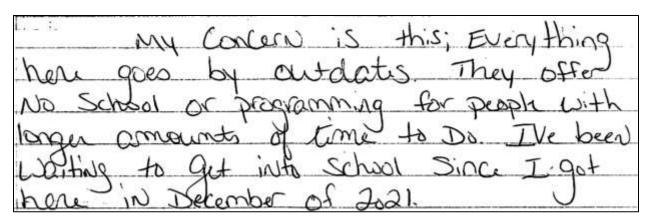
Another individual at East Moline wrote with a similar issue, explaining that they "have requested a transfer to a facility that offers Voluntary Sex Offender Treatment Programming in order to fulfill the requirement made by the department. But due to fiscal resources or program availability or bed space, they are unable to provide programming...By the dept. creating a standard that cannot be met, they are creating a bias or prejudice against a certain group of inmates, including myself."

Further, incarcerated people may be restricted from programming because of their housing status. As an individual in Pontiac wrote in January, "There is no type of rehabilitation programs in this facility for individuals in protective custody. We are treated like we are in a disciplinary housing unit, just because we are in protective custody."

Finally, many incarcerated people are not eligible for programming because they are not close enough to their release date, and many programs prioritize individuals who will be reentering soon.

I have 12 years left and I am being told I have too much time to getsinto ANY Educational/ Programming, So i am in a possition of only having my ART work to keep me possitivly workstated motivated.

- Individual in custody at Graham, February



- Individual in custody at Decatur, March

Even when programs exist and individuals are eligible for them, JHA receives many reports about long waiting lists, which can be expected given limited program availability, and in the past JHA has specifically sought information from people about their waitlist experiences in order to get a clearer sense of the issue. As the individual from Pontiac, mentioned above, wrote:

My biggest obstacle to my ability to get into a program is the space. In other words first come and first serve. The rest are put on the waiting list for a long time. Because space is limited and they don't have that many programs, so they stall. I hope for better change on providing more programs. That's my reason for answering all your questions. Because with out programs. How do they expect us to rehabilitate?

- Individual in custody at Pontiac, January

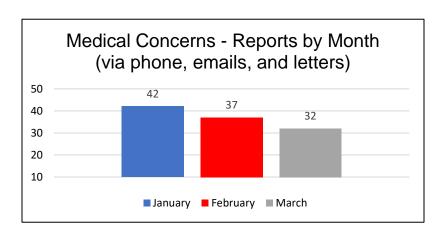
With limited program availability people often share concerns regarding possible favoritism. For example:

I am writing you in regard to me being denied EDSC For up to 345 days, due to lack of programs but I keep demonstrating that I want to participate in educational programs. I am being over looked due to the Cherry picking among the inmates by intel and Warden

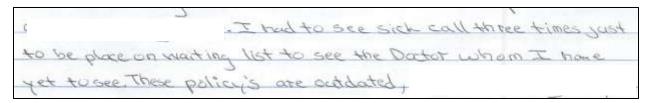
- Individual in custody at Danville, February

Without being able to engage in or access programs, people in IDOC are left inactive and frustrated. Many report that learning something in prison, academically, vocationally, or through faith-based or other kinds of programming is critical to their rehabilitation and shifting their mindset to be successful upon reentry. People in IDOC frequently mention that they must engage in such pursuits on their own initiative without support from the corrections system.

# **Medical Concerns**

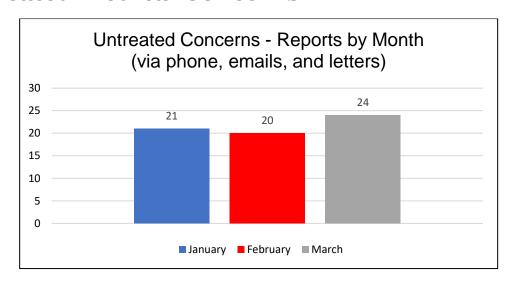


JHA received 42 unique communications in January about medical concerns, 37 in February, and 32 in March. People incarcerated in IDOC continue to share with JHA that medical care is a major issue for them both in accessing care as well as the quality of care they receive. For example, an individual in custody at Taylorville in March wrote that "currently, I have been through certain withdrawals on behalf of medical and dental services that should be provided but has not been put in place for me". The latest court-appointed monitor report issued in March 2023 in Lippert v Jeffreys highlights a continued decline in the prison healthcare system and reports extreme levels of staffing shortages creating dangerous conditions for incarcerated individuals.



- Individual in custody at Western Illinois, January

### **Untreated Medical Concerns**



Out of all of the letters relating to medical care that JHA received, the most frequently cited issue was untreated medical concerns. In January, 21 letters included this issue (50% of all medical-related letters); in February, 20 letters did (54% of all medical-related letters); and in March, 24 letters mentioned untreated concerns (75% of all medical-related letters).

From delays in accessing healthcare after an injury to long waits for care for chronic issues to challenges getting medication appropriate for their diagnoses, JHA received 65 unique reports of untreated medical concerns from January to March 2023. Some reports emphasized the impact of delayed doctor's appointments. For example, someone incarcerated at Menard wrote in January that "repeated delays" to care may lead to "irreparable medical harm," including that they may "become completely blind."

Other people reported accelerated disease progression due to lack of care:

My name is I am having trouble getting the medical care I need; which has caused my medical condition to needlessly progress faster than if I would have received treatment sooner. The medical condition that I am diagnosed with is Parkinson's - Individual in custody at Big Muddy, January

In February, an individual incarcerated in Taylorville wrote to JHA explaining that prior to being incarcerated, they were scheduled for emergency eye surgery for a detached retina. They were arrested before the surgery was completed and have been waiting to see an eye doctor since being incarcerated.

Further, the county sail refused to Provide
me with treatment for my eye From Aug 28-
Nov. 16, 2022. I was also denied treatment at
State ville, Reception Center Since I've been
in Taylorville and the acute deteriation of my eye
health, I've not received treatment, been
Scheduled for a Surgery, nor have I seen an
eye doctor here at Taylorville C.C.

- Individual in custody at Taylorville, February

Finally, in January 2023, a different person incarcerated at Menard wrote to JHA about issues accessing proper medication, as well as an experience they characterized as staff retaliation for their advocacy to resume their prescription: "Recently, they stopped my medication for nerve damage pain care, and because [of this], each day got more unbearable, and each day I became more demanding [for] its reinstatement. Until I couldn't bear it anymore, and a C.O. whom looks for retaliation on me wrote me a ticket and then busted me up by dumping me out of my wheelchair onto concrete, busting my head on the ground...I already have [a] brain injury from the incident, and then [they] put me into a non-ADA cell from an ADA cell, where I couldn't drink water or use the sink and toilet because it was inaccessible."

### Your Words Continue to Direct our

### Work

JHA survey update: JHA's modified Measuring the Quality of Prison Life survey instrument has now been sent to all of the secure IDOC facilities. Survey results for three of the prisons surveyed in 2022 are available on our website, and we will be publishing more results and deeper analysis of the data which is being conducted in partnership with the Criminal Justice and Criminology Department at Loyola University

JHA's Q1 2023 monitoring visits included:

1/10: Fox Valley ATC

1/18: Kewanee LSRC

1/19: Peoria ATC

2/8: Crossroads ATC

3/14: North Lawndale ATC

3/28-3/29: Jacksonville/Southwestern Illinois

Chicago, we look forward to sharing this information publicly.

### JHA discusses Pontiac Correctional Center:

A two-part series on Pontiac Correctional Center produced by WTTW and including input from JHA highlights the <u>role of the facility in the community</u> as well as <u>challenges inside its walls</u>. The reporting covers the prison's aging and unlivable infrastructural conditions, as well as a lack of mental health care access, rates of violence, and staff shortages.

### Advocacy Update:

- Legislation to expand the jurisdiction of the Office of Independent Juvenile
   Ombudsman, which JHA championed, has passed out of committee and is
   headed for a floor vote after JHA testified in front the relevant House and Senate
   committees on this bill which expands the oversight jurisdiction of the existing
   Office of Independent Juvenile Ombudsman, to include young people in county
   detention centers.
- JHA testified on the <u>Department of Juvenile Justice FY24 Proposed Budget</u> in front of both the relevant House and Senate committees, urging legislators to take steps to reduce the carceral footprint of the state run juvenile justice system.
- JHA also testified in front of the relevant House and Senate committees on the Department of Corrections FY24 Proposed Budget, noting that many prisons in Illinois have significant infrastructure issues that threaten the health and safety of everyone who lives and works inside of them which must be addressed. JHA also called for the report by an outside consultant on IDOC infrastructure to be made publicly available as soon as possible.

- JHA conducted a PREA audit of Kane County Juvenile Detention Center: JHA's
  Director of Prison Monitoring who is a certified PREA auditor completed the onsite
  portion of the audit in February.
- Reports published by JHA this quarter: <u>JHA 2022 Annual Report & 2023 Preview</u>, which provides an overview of JHA's work and summarizes some of the main issue areas that emerged in prison monitoring, communications from incarcerated people, and JHA's advocacy.

# Thank You!

JHA thanks everyone who has reached out to us with information and shared their experiences, insights, and perceptions of what is happening inside Illinois prisons. What you share with us allows us to ask questions, seek more information, and better monitor the implementation of policies and adherence to fair practices by the IDOC. As an independent watchdog group, JHA's impact comes from acting as the eyes and ears of the public inside Illinois prisons. Sharing with us what you experience strengthens our monitoring work and empowers our advocacy efforts. We also thank everyone who has read this update and listened to others' voices; we hope you will join us in working towards a safer and more humane system.



Incarcerated individuals can send privileged mail to report concerns and issues to the John Howard Association, P.O. Box 10042, Chicago, IL 60610-0042. JHA staff read every letter and track this information to monitor what is occurring behind prison walls and to advocate for humane policies and practices. Family and friends can contact JHA via our website www.thejha.org.