
**John Howard Association Testimony, March 13, 2024
Illinois Department of Juvenile Justice FY25 Proposed Budget
Illinois House of Representatives Appropriations—Public Safety Committee**

I. Correctional experience and expertise:

John Howard Association (JHA) is the only independent, not for profit, nonpartisan, citizen correctional oversight organization in Illinois. For over 120 years JHA has been going into Illinois’ adult and juvenile prisons to directly observe conditions and speak with staff, administrators and the people who are incarcerated in order to increase system transparency, identify issues, and put forward recommendations for reform. JHA advocates for the humane treatment of people in custody, which includes improving conditions of confinement and treatment inside prisons. Holding the prison system accountable for respecting the rights of people who are incarcerated is critical and will improve people’s outcomes upon release from prison and public safety for our communities.

II. JHA puts forth the following findings and recommendations regarding the proposed budget for the Illinois Department of Juvenile Justice (IDJJ), FY25:

1. Illinois must begin to repurpose, consolidate, and close unsafe and outdated juvenile prisons. Over the last decade changes to law and policy have reduced the youth population in state custody significantly and stakeholders recognize that meeting the needs of youth is best done outside of a carceral environment, where chronic infrastructure and culture problems at some facilities run counter to the goal of promoting positive growth and development. Furthermore, the Governor’s 21st Century Illinois Transformation Model, which focuses on meeting the needs of youth outside of carceral settings, reinforces the need for IDJJ to transition away from running adult style prisons and instead allocate resources for a continuum of rehabilitative services for youth living in their home communities.
2. IDJJ must be continue to be provided with sufficient resources to ensure constitutionally adequate youth safety, mental health care, and educational services, in compliance with the *R.J. v. Mueller* consent decree.
3. Appropriate increased funding for the Office of the Independent Juvenile Ombudsman (OIJO) to further secure the rights of youth in IDJJ facilities, Aftercare programs, and county run juvenile detention centers. Increased resources are critical to support and strengthen the ongoing work of this office and ensure successful implementation of its expanded jurisdiction into juvenile county detention centers in 2025. The OIJO is an important safeguard for youth; the purpose of this office is to ensure that the rights of youth in custody are fully observed. Protecting and empowering youth in custody is critical to their safety and wellbeing.

III. Rationale for Recommendations

Recommendation 1: In order to successfully implement the Governor’s 21st Century Illinois Transformation Model, and further changes to law and policy that have reduced the youth population in state custody, IDJJ must transition away from adult style prisons and invest resources in building a continuum of rehabilitative programs and services to treat and support youth in their communities.

The IDJJ population has sharply declined in recent years, with a population of 165 youth at the end of 2023¹, down from a high of over 2,000 youth 25 years ago.² This presents an opportunity to repurpose, consolidate, and close outdated and counter-productive facilities. The population reduction reflects that stakeholders including lawmakers, jurists, and scholars have recognized that youth must be treated differently than adults are in the criminal legal system. Illinois statute, the U.S. Supreme Court decision *Miller v. Alabama*, and an established scholarly consensus affirm that youth are more vulnerable to harm and less culpable than adults.³ Facilities also have endemic infrastructure and culture problems that have harmed youth wellbeing and outcomes.⁴ Repurposing, consolidating, and closing outdated and dangerous youth prisons will build on the significant reforms that have occurred in Illinois over the last decade, following evidence that community-based alternatives to incarceration have better outcomes for youth and for society as a whole.

In addition to changes in law, policy and thinking about how to treat youth in conflict with the law, the Governor’s 21st Century Illinois [Transformation Model](#) for IDJJ sets forth a plan to change the Illinois juvenile justice system from incarcerating youth in adult-style prisons to a closer to home model that provides community-based, wraparound support by establishing a continuum of care and services to support youth development and rehabilitation and maximize youth potential. However, despite the aims of the plan and lower youth population of IDJJ, the Department continues to operate the same number of outdated adult-style prisons as it has for most of the past decade. These facilities do not represent best practices for youth wellbeing and rehabilitation, and use resources that could be allocated to transforming the system into a holistic, community-based one that focuses on the needs of each youth.

IDJJ recently announced plans to repurpose IYC St. Charles as a facility to house young men who have graduated from high school and will pursue post-secondary opportunities, both academic and vocational. The proposed budget to run this facility, which is geared to a specific subset of the youth population, is greater than the budget for IDJJ’s entire Community Services Division, which is approximately \$23 million.⁵ Allocating more money to run a facility than for the provision of

¹ IDJJ Monthly report, December 2023, <https://idjj.illinois.gov/about-us/data-and-reports/monthly-reports.html>

² IDJJ 2023 Annual Report, pg.5, <https://idjj.illinois.gov/content/dam/soi/en/web/idjj/2024-documents/2023%20ANNUAL%20REPORT%20IDJJ%20Final.pdf>

³ See *Miller v. Alabama*, 132 S. Ct. 2455, 2468 (2012); *Illinois Becomes the First State to Ban Police from Lying to Juveniles During Interrogation*, INNOCENCE PROJECT (July 15, 2021); <https://innocenceproject.org/illinois-first-state-to-ban-police-lying/>. MacArthur Foundation, Research Network on Adolescent Development & Juvenile Justice (2017) <https://www.macfound.org/networks/research-network-on-adolescent-development-juvenil>

⁴ See *Former Illinois Youth Center Guard Convicted of Facilitating ‘Culture of Violence’ Among Detainees*, (2022) <https://foxvalleymagazine.com/2022/10/04/former-illinois-youth-center-guard-convicted-of-facilitating-culture-of-violence-among-detainees/>; *ACLU Sues IYC Harrisburg on Behalf of IYC Staff in Criminal Complaint* <https://www.aclu-il.org/en/news/southern-aclu-sues-iyh-harrisburg-behalf-iyh-staff-criminal-complaint> (2017).

⁵ *Illinois State Budget: Fiscal Year 2025*, 318 (IYC St. Charles: \$25, 307,500),

community services runs counter to the goal of reducing reliance on incarceration and increasing the use of community-based services and supports to facilitate positive youth growth and development and should be reevaluated.

Similarly, IYC Harrisburg, a facility that has struggled to meet the rehabilitative mission articulated by the Agency, is the second most expensive facility to operate annually at just over \$22 million, per the FY25 budget request.⁶ It is time to close IYC Harrisburg; given the excessive available housing capacity throughout IDJJ, changes anticipated in conjunction with the Transformation plan, ongoing inability to meet the Agency's stated mission, and the expense of operating this facility, it is not the best use of resources. Furthermore, this funding allocation is at odds with plans to open the new facility in Lincoln to house youth from central and southern Illinois closer to home, a population that is for the most part currently housed in IYC Harrisburg. Illinois should reduce the footprint of IDJJ and direct scarce resources towards community-based services and supports.

Recommendation 2: IDJJ must be provided with sufficient resources to ensure constitutionally adequate youth safety, mental health care, and educational services, in compliance with the *R.J. v. Mueller* consent decree.

The IDJJ proposed FY 2025 budget allocates resources to improve staffing ratios and provide educational and mental health services in compliance with the *R.J. v. Mueller* consent decree. The budget prioritizes implementation of evidence-based and cognitive behavioral interventions, restorative justice and trauma training. JHA recommends that IDJJ be resourced at the Department's requested amount for FY 2025 to ensure that incarcerated youth are protected, that their needs are met, and that ongoing efforts to improve internal policies and practices continue. Since 2012, efforts to come into compliance with consent decree have been ongoing, and resources are needed to address remaining areas in need of attention. The Department should be resourced to meet the basic needs of youth in custody, in compliance with the *R.J. v. Mueller* consent decree.

Recommendation 3: Appropriate increased funding for the Office of the Independent Juvenile Ombudsman (OIJO) to further secure the rights of youth in IDJJ facilities, Aftercare programs, and county run juvenile detention centers. Increased resources are critical this year in order to support and strengthen the ongoing work of this office and ensure successful implementation of its expanded jurisdiction in 2025.

The Office of the Independent Juvenile Ombudsperson (OIJO), exists to safeguard the rights of youth in custody, and has proven an invaluable resource for youth, their families, and the system as a whole. Continuing this work and implementing the expanded jurisdiction of this office in the coming months requires resources, primarily in the form of additional staff. The OIJO's benefits for youth in IDJJ have been enormous since its creation in 2015. The Office responds to youth reports of mistreatment, advocates on their behalf with system administrators, and reports on systemic problems within the system. Along with benefiting youth, the OIJO has likely saved the State resources in the form of avoided litigation. The funding request in the FY25 budget for the Office should be supported so that it can build on its efforts to assist youth in State custody and begin serving youth in county custody.

<https://budget.illinois.gov/content/dam/soi/en/web/budget/documents/budget-book/fy2025-budget/Fiscal-Year-2025-Operating-Budget.pdf>

⁶ *Ibid*

In closing, JHA asks this committee to consider this submitted testimony and the recommendations contained herein. IDJJ must be adequately resourced to care for youth in state custody, implement plans designed to transform the juvenile justice system, and to expand the Office of Juvenile Ombudsman to serve and protect all youth in criminal justice custody.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Jennifer Vollen-Katz".

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