

RECOMMENDATIONS
OIG Report-Homicide of Wards
#16-2602

Societal problems including poverty, gang violence and lack of educational services contribute to the tragic and escalating incidence of youth homicide in Cook County, Illinois. The Department appreciates the OIG's detailed analysis of potential ways to address these issues in report #16-2602. Notably, the recommendations in the report are relevant broadly to homicides of youth, and are not limited to youth in DCFS care.

Earlier this year under Director Sheldon's guidance, the Department conducted Quality Assurance reviews of the circumstances surrounding youth in care who were lost to homicides during the prior year. Director Sheldon's goal was the identification of patterns that could illuminate practice and lead to reforms at DCFS to better serve at-risk youth. The QA reviews were shared with the OIG prior to the issuance of report #16-2602. The Department is committed to partnering with other government and private entities as it searches for and develops approaches to this pervasive public health and welfare concern.

Upon receipt of report #16-2602, a work group was convened and the Department thoughtfully reviewed each of the OIG's 13 recommendations. Although many of the recommendations are beyond the scope and authority of DCFS alone, the Department is committed to working with the broader community to develop resources and solutions to address the challenges of youth homicide.

We welcome the spirit of the OIG's commitment to youth in Illinois, but the Department has strong procedural objections to the assumption of a broad policymaking role by the OIG and to the OIG's process of developing this report, as detailed at the end of this document for the record. OIG Rule 430.100(b)(2) states that the Director shall specifically accept, reject, or seek modification of specific recommendations; therefore we have included that response in the Department's comments on each item.

RECOMMENDATIONS

Programming and Prevention Services

1. To counter the lure of gangs and guns, the Department must offer programs in severely economically disadvantaged neighborhoods, such as Englewood, Lawndale and Austin, that include, remedial tutoring and enhanced learning opportunities for DCFS wards and children who have achieved permanency through subsidized guardianship or adoption who have reading and/or math scores two grades below level, and to offer the opportunity for pro-social recreational programs with safe passage (transportation) for these children.

The Department agrees to convene a workgroup with other governmental entities to consider implementation of the suggested programs. The responsibility to promote

education and enhanced learning opportunity falls to many entities within the community, but primarily the school districts. Ancillary support could be provided by governmental entities such as park districts, libraries, child welfare and the Department.

In addition, the Department plans to use the immersion sites, as described in the Department's Implementation Plan, to develop more community-based services and programs such as those suggested by the OIG. The Department will identify community resources and use the immersion sites as a means to contract with and access services. This may include enhancing services provided by FACs.

Educational Services

2. When a special education youth in a residential program outside of the City of Chicago is transferring to a therapeutic/specialized, foster/relative home or transitional living program in Chicago, the Regional educational advisor from the sending community and the receiving Chicago Regional educational advisor should in advance of the school transfer to develop a transitional plan with the receiving school and the receiving agency assuring that the youth receives timely and appropriate special education services. The youth should be involved in the planning and afforded the opportunity to visit the receiving school prior to the transfer and the Department should fund an educational mentor to assist the youth for the first six weeks of the school transfer. The educational mentor should provide transportation for the first six weeks and assist the youth in adjusting.

DCFS agrees to meet with representatives of the Chicago School District to develop a transitional plan for youth who are transferring schools. DCFS is currently using educational specialists to assist youth in transitions to new schools. When appropriate, the Department may fund an educational mentor to provide transportation and transitional assistance to youth for the first six weeks after the transfer. The DCFS Division of Clinical Services will take the lead on follow up in working with schools.

3. The Department should explore identification of entities that can offer credit recovery programs similar to the one at Maryville Madden Shelter.

The Department agrees with this modified recommendation. The Divisions of Placement and Community Services, Clinical Services and Monitoring will take the lead on follow up.

Substance Abuse Recovery

4. Similar to the Rosecrance model, the Department should develop a supportive recovery transitional living program for its young adults in Cook County who are in their early stages of recovery. The program should offer individual, group and family counseling, educational and employment services with an incentivized goal setting in these areas

The Department agrees with this recommendation and will attempt to identify a provider willing and able to provide transitional living services similar to the Rosecrance model. The Divisions of Placement and Community Services, Clinical Services and Monitoring will take the lead on follow up.

5. The Department should utilize The Addicted Minor Act to obtain court ordered treatment for dually involved youth who are in need of substance abuse treatment in lieu of violating their delinquency probation.

The Department agrees to meet with the Office of the Inspector General, Office of the Public Defender, DCFS Legal, and the Juvenile Justice Initiative to consider the optimal way to order youth into treatment. The discussion will include consideration of whether there would be any benefits from the use of the Addicted Minor Act for dually-involved minors.

Dually Involved Youth

6. For effective collaboration Cook County Region DCFS should pursue an agreement with the Cook County Probation Department to cross train the dually involved specialized caseworkers and the youth's assigned probation officers. The training should cover the ins and outs of probation, delinquency court and gang safety and the DCFS related policies and expectations. The trainings should be conducted biannually and include a discussion component provided by experienced caseworkers and probation officers on gang involvement and lessons learned.

The Department agrees with the modified recommendation to pursue such an agreement. The Department's Dually Involved unit will explore the need for and development of training. Several years ago the Department, along with a CWAC subgroup on dually-involved youth, developed an outline and training materials on such cross-training. These materials will be provided as a basis for updating the training.

7. The Department should request the Illinois Justice Project/Juvenile Justice Leadership Data Collection and Information Sharing Workgroup and the Dually-Involved Committee consider proposing legislation or rules that would permit sharing of information and coordination between the Cook County Juvenile Justice Courts and the Cook County Abuse and Neglect Courts in Illinois, when in the best interests of dually-involved youth.

The Department agrees with this modified recommendation. The Department placed it on the agenda for the next Cook County Dually Involved Meeting, scheduled for July 19, 2016.

8. The Department should request that the Office of Administration of the Illinois Court (AOIC) allow the Department to receive all Delinquency court assessments such as the Youth Assessment and Screening Instrument (YASI) and Violence Risk Assessment for wards of the Department. For consistency of measurements across agencies the Department should administer the YASI on those dually involved youth who end their probation or parole but continue under the Department's guardianship.

The Department's Office of Legal Services and the Division of Clinical Services will follow up with the Cook County Probation Department to determine if the Department can receive the YASI assessments for youth in DCFS custody. The primary assessment tool used by DCFS is the CANS; the DCFS Division of Clinical Services will analyze whether it is advisable to use of the additional tool of YASI assessment for dually involved youth who have completed their probation or parole.

9. The Department should request to participate in the Gang School Safety Team real time monitoring approach for wards with gun/gang/violence activity including related social media.

The Department agrees to contact the CPD Gang School Safety Team and explore access to information regarding gang violence and shooting victims. The Office of Legal Services will take the lead on follow-up.

10. The Department must review all UIRs involving a ward with a gun or ammunition to ensure that Administrative Procedure 18, requiring notification of law enforcement, has been followed.

The Department agrees with this recommendation and will send a notice to staff regarding Administrative Procedure 18. The Department also notes that it is actively working on upgrading the UIR system. To the extent that information contained in a UIR indicates a youth in the custody of the Department is involved with a gun or ammunition, Administrative Procedure requires both notification to law enforcement and the initiation of additional services.

11. The Department should develop a violence and substance free therapeutic community based model similar to a halfway house model for youth 18 and over involved with the criminal court system or dually involved with adult and juvenile courts for crimes against a person. The programming should require that the youth: enter into a nonviolence contract, obtain a minimum of part time employment, participate in continuing education through the City of Chicago Community Colleges (technical certification program, GED, or Associate Arts degree) or credit recovery or alternative school programs for youth who can earn a high school diploma. The therapeutic model should clearly define a non-violence contract with each youth who enter the program. If the terms of the shelter's

non-violence contract are violated the Department should immediately inform the Juvenile Court and Adult probation of the violation and the intention of the Department to request termination of the youth's wardship. Programming should include Safer Foundation and the Isaac Ray Center.

The Department agrees to explore the utility of both the Safer Foundation and the Isaac Ray Center programs and will develop a plan for a therapeutic community based model for its 18-20 year old dually involved youth consistent with this recommendation. The Department expects the plan to be completed by October 1, 2016 and the program operational by April 1, 2017.

12. The Department should explore collaboration with the Illinois DHS Division of Mental Health, Division of Alcoholism and Substance Abuse, and the Cook County Sheriff's Office to develop a stabilization strategy for DCFS Cook County young adults with mental illness and substance abuse problems who are charged with person crimes that exclude them from the criminal mental health court.

The Department agrees to explore collaboration with these agencies to consider strategies that already exist or what may be needed. This recommendation also requires coordination with the Cook County State's Attorney's Office and the Cook County Public Defender's Office. The Dually Involved staff will take the lead on follow up.

13. The African American Family Commission should review the findings in this report to develop recommendations for legislation or other necessary reforms.

The Department agrees that the findings and the Department's response to the recommendations should be shared with the African American Family Commission. The Office of Racial Equity and the Senior Deputy Director of Program Practice will take the lead on follow up. The Department will review any recommendations for legislation or other reforms.

LEGAL AND JURISDICTIONAL COMMENTS

While appreciative of the recommendations of the OIG, the Department objects to the OIG report in the following overarching respect:

The OIG acted beyond its statutory authority in doing this investigation, and in recommending sweeping policy change in this context. The Children and Family Services Act provides that the Inspector General shall have "the authority to conduct investigations into allegations of or incidents of possible misconduct, misfeasance, malfeasance, or violations of rules, procedures, or

laws by any employee, foster parent, service provider, or contractor of the Department of Children and Family Services. . . .” Report #16-2602 does not involve an investigation into such violations. Nor does the report suggest changes that address misfeasance, malfeasance or violations of rules or procedures by the Department. OIG’s rule (but not statute) authorizes the OIG to investigate when deaths or serious injuries occur in foster homes, child welfare institutions, independent living programs and other facilities licensed by the Department, or when there was an open case during the prior 12 months, which was not the situation with all of the deaths investigated in this report. Also, the recommendations stretch far beyond DCFS, and implicate the functioning of multiple State, County and other entities.

The Department requests that, in accordance with law, its responses accompany the OIG’s final recommendations.