



FOR IMMEDIATE RELEASE

REPORT OF FINDINGS
INDIVIDUAL ADVOCACY GROUP INCORPORATED — 17-040-9018
HUMAN RIGHTS AUTHORITY— South Suburban Region

INTRODUCTION

The South Suburban Regional Human Rights Authority (HRA) has completed its investigation into an allegation concerning Individual Advocacy Group Inc. The complaint stated that the agency's staff inappropriately used the police for behavioral intervention rather than using treatment planning, behavioral planning or other services. If substantiated, this allegation would violate the Rules (89 Ill. Admin. Code Part 384 et seq.) that govern behavior treatment in child care facilities.

Located in Romeoville, Individual Advocacy Group provides residential, day training, counseling, and other supportive services to children and adults with developmental disabilities, behavioral health needs and brain injuries in 21 counties throughout Illinois. This agency has a Specialized Transitional Living Program with a total population of 15 residents between the ages of 18 and 21, and all of them are wards of the Illinois Department of Children and Family Services.

METHODOLOGY

To pursue the investigation, the complaint was discussed with the agency's Suburban-Cook County Regional Director, the Associate Regional Director, and a representative from the Illinois Department of Children and Family Services. A behavioral management plan with personally identifiable material deleted was reviewed. The Authority reviewed information received under the Freedom of Information Act from the Illinois Department of Human Services. The HRA was provided with a call-log and police reports involving a group home. A telephone interview was held with two employees from an outside agency. Relevant program policies were also reviewed.

COMPLAINT STATEMENT

The complaint stated that seven group homes managed by the agency had inappropriately used the police for behavioral intervention. It was reported that the staff had repeatedly called the police for assistance due to behaviors that appeared to be associated with the individual's disability. It was reported that the police were called to the group homes for assistance dating back to 2006 about 174 times and about 20 times in early 2017.

FINDINGS

According to the agency's Regional Director, five of the seven group homes identified in the complaint are managed by the agency. He said that the five group homes (C thru G) consist of youths who have been diagnosed with intellectual disability and/or mental illness. These high-risk youths are clients in the agency's Specialized Transitional Living Program (STLP) funded by the Illinois Department of Children and Family Services (IDCFS). The average length of stay for clients in the transitional living program is about 14 months. Clients are required to attend school and/or work and can earn \$25.00 weekly for doing age-appropriate tasks. The HRA was informed that the agency's STLP is considered to be the clients' last chance to successfully complete a program before they are emancipated from the IDCFS's care.

The Regional Director explained that the agency has two specialized transitional living group homes located in the Cook County village named in the complaint where the police were repeatedly called for assistance. He said that the agency had a good relationship with the administration of the village until two clients were admitted to the STLP in 2017. He said that four more clients had extreme behaviors during that same year and that clients were calling the police on the group homes' phones or their cell phones. Sometimes, they would tell the police that they wanted to kill themselves to get attention. One client presented with self-injurious behaviors and had hit a staff person in the head. The Regional Director explained that supervision in the agency's specialized transitional living group homes is usually 1:3. He said that additional staff are utilized as needed such as when a client requires 1:1 staff supervision. Medication as needed is not administered to clients in this program. All of the clients reportedly have behavioral management plans developed with input from their assigned IDCFS' caseworkers. According to the Regional Director, the IDCFS' policy directs that the police should be called within 24-hours when a client runs away from the group home. He said that the police might be notified sooner depending on the individual if he or she runs away from the group home.

The investigation team reviewed a client's "Behavioral Management Plan" dated December of 2017. The behavioral management plan targeted behaviors as follows: 1) excessive spending on unhealthy foods, and, 2) property destruction. The behavioral management plan documented that the agency's crisis phone number should be called before having the client assessed for the need of hospitalization by the Screening, Assessment and Support Services (SASS). This community program provides mental health services for children and youths under the guardianship of the IDCFS. Also, the behavioral management plan documented that the agency's crisis phone number should be called prior to calling the police in the absence of imminent danger. The behavioral management plan includes a "Weekly Consequence Tracking Sheet" that lists inappropriate behaviors such as physical aggression and indicates that the client is expected to pay \$15.00 for each such occurrence. According to the Regional Director, the behavioral management plan is part of every client's transitional plan. He said that the client whose behavioral management plan was reviewed by the HRA, was detained or hospitalized weekly prior to being admitted to the agency's STLP. Her need for hospitalization during her stay in the program had gradually decreased to zero. However, due to her anticipation of being emancipated from the IDCFS and not having the things she wanted in

place, she presented with increased behavioral problems prior to her discharge from the agency's program.

The Authority reviewed about 154 police reports and all of them with the exception of one involved group home (A). The Regional Director told the HRA that group home (A) specifically identified in the complaint as excessively using the police for behavioral intervention, is not managed by the agency. Also, this was verified by an administrative employee at group home (A) and another employee said that group home (B) was replaced with group home (A) on or around 2014. According to the Regional Director, the program staff are trained in de-escalation and have been successful in calming down many clients in the five specialized group homes. He said that the staff are directed to call the agency's crisis phone number prior to calling the police except in situations of imminent danger. The investigation team was informed that a staff person is assigned to answer the agency's crisis phone-line 24-hours a day and seven days a week. The agency reportedly does not track data on police intervention. The investigation team was informed that the program staff and the assigned IDCFS monitor meet monthly.

The Illinois Department of Human Service informed the Authority that the Bureau of Accreditation, Licensing and Certification (BALC) did not identify any records for failure to follow consumers' services plans or understaffing in the agency's group homes for 2009 through May of 2017. Also, the HRA was informed that the Department does not retain records prior to 2009.

According to the agency's "Illinois Department of Children and Family Services Transitional Living Police Contact" policy, police intervention is required in situations involving: 1) imminent serious bodily injury or death of an individual, 2) evidence of sexual misconduct involving a ward or staff member, 3) motor vehicle theft, and, 4) discovery of firearms or ammunitions or explosives. It states that the agency may use police intervention, as authorized by supervisory/administrative personnel: 1) to request immediate help to maintain safety of all residents, 2) unprovoked physical aggression toward others that results in an injury to another individual, 3) a documented individualized pattern of aggression that is not responsive to conventional behavior management techniques, 4) the use of offensive or defensive combat instrument other than firearms in the context of an aggressive act that results in an injury requiring medical attention, 5) confiscation of contraband items, and, 6) fire-setting. It included procedures for criminal offenses such as damage to property. The policy was effective on May 1st, 1998 and was revised on January 1st, 2017.

The agency's "Illinois Department of Children and Family Services Transitional Living Incident Reporting" policy ensures that the agency will document pertinent information and maintain a record of incidents involving clients. The policy states that the agency will report allegations of abuse and neglect incidents and criminal behavior to the appropriate authority. It states that a reportable incident includes behavioral, medical and other incidents that involve a client and/or employee. The policy was effective on July 1st, 1998 and was revised on January 1st, 2017.

CONCLUSION

The 89 Ill. Admin. Code Section 384.20 states that,

Behavior intervention techniques refers to the systematic application of methods designed to influence the behavior of one or more individuals through behavioral techniques (e.g., token economies and point systems) that have been approved in compliance with the requirements set forth in Section 384.30.

Individual treatment plan means the current intervention and treatment program for a specific child that has been prepared by an interdisciplinary team that may include, but is not limited to, the child, DCFS caseworker, private agency/institution caseworker, therapist or psychiatrist, foster parents and parents, as clinically and legally appropriate.

The 89 Ill. Admin. Code Section 384.30 states that,

Each child care facility that accepts children for whom the Department of Children and Family Services is legally responsible shall develop an Agency Behavior Treatment Plan that describes the facility's programming. In addition, each child for whom the Department is legally responsible shall have an individual treatment plan that identifies those specific components of the overall Behavior Treatment Plan that will be applied to that child and the specific behaviors the individual treatment plan is intended to address. All plans submitted to the Department shall be written to assure that the facility will use behavior treatment techniques in a safe, humane manner that fosters a child's self-discipline.

The Authority does not substantiate the complaint stating that the agency's staff inappropriately used the police for behavioral intervention rather than using treatment planning, behavioral planning or other services. Based on the investigation, the agency manages five of the seven group homes identified in the complaint and these group homes consist of high-risk youths under the guardianship of the Illinois Department of Children and Family Services. These youths are clients in the agency's specialized transitional living program, which is reportedly monitored by the IDCFS, and all of the clients have behavioral management plans. The Regional Director told the HRA that two of the agency's specialized group homes are located in the village named in the complaint and that the agency had problems with the administration of the village due to some clients' extreme behaviors in 2017. He said that the program staff are directed to call the agency's crisis phone number for assistance prior to calling the police except in instances of imminent harm. The Regional Director told the HRA that the agency does not manage group home (A) that was identified in the complaint as excessively calling the police for behavioral intervention. This was verified by employees of group home (A).

SUGGESTIONS

1. Consider scheduling a meeting with the local police department to explain the high-risk clients served by the agency.
2. Consider doing some public educational training with the police department and the agency's group home clients.
3. Consider tracking data on police intervention. Review for appropriate police involvement, patterns of behaviors, the need for treatment plan revisions, staff training issues, etc.
4. Examine of the behavioral approach of clients paying \$15 for each behavioral occurrence. The HRA questions if this is consistent with regulations requiring that "every individual's treatment plan shall include positive reinforcement strategies for adaptive, socially acceptable behavior [89 Ill. Admin. Code 384.30]." Not only is taking a client's money a form of negative reinforcement, the HRA questions what adaptive behavior is the client learning and what happens to the client's money?