



FOR IMMEDIATE RELEASE

HUMAN RIGHTS AUTHORITY – PEORIA REGION
REPORT OF FINDINGS

Case #21-090-9023
McLean County Jail

The Peoria Human Rights Authority (HRA) of the Illinois Guardianship and Advocacy Commission voted to pursue an investigation of McLean County Jail after receiving the following complaints of possible rights violations:

Complaints:

1. Inadequate Mental Health Care

If the allegations are substantiated, they would violate protections under The County Jail Standards (20 Ill. Adm. Code 701.90 and 20 Ill. Adm. Code 701.40).

Complaint Summary: The complaint stated the individual was detained in the jail from Friday until Monday afternoon and during the booking process the individual was placed on suicide watch. Allegedly, because of the suicide watch, a male correctional officer watched the individual, who is a female, shower which was upsetting to the individual. The complaint stated the individual was not provided any of her prescribed psychotropic medication while in the jail.

Investigation:

The HRA proceeded with the investigation after having received proper consent. To pursue the matter, the HRA visited the facility virtually and the program representatives were interviewed. Relevant practices, policies and sections of the consumer's record were reviewed.

Interviews:

The staff provided some general information about The McLean County Jail. On average the jail houses 190-230 inmates. Usually about 13-15 of those inmates are female and the rest male. Currently the jail has 202 inmates and 16 are female. Male and female inmates are housed separately in the jail. The McLean County Jail employs two counselors and a

forensic counselor. The Jail is contracted with Advance Correctional Health (ACH) and ACH supplies a psychiatrist for the inmates. The jail has 64 correctional officers, 6 sergeants and 3 jail administration personal. Of the 64 correctional officers, 7 are female. Staff stated they have at least one female correctional officer on per shift. Correctional officers attend a 5-week academy and complete on the job training. There is ongoing training throughout the year that all staff must complete. Annually, all staff are trained on mental health. Staff advised before the COVID-19 pandemic they were working on developing Crisis Intervention Teams (CIT) for the jail but had to stop due to the pandemic. There is nursing staff at the jail 7 days a week. Annually, the Illinois Department of Corrections reviews the jail for general compliance.

Staff advised when someone is being booked into custody at the jail, they are asked a series of questions during the booking process. The correctional officers attempt to get as much information as possible from the inmate at booking. Staff stated a medical screening is completed as soon as possible during the booking process.

Upon arrival at the jail, the individual did not have any medications with her, and the hospital did not provide any paperwork to the jail. Staff advised that the hospital did send paperwork for the individual after the individual has been released from the jail. A medical screening was conducted on the individual at the time of booking. The individual advised she was prescribed an inhaler and medication for high blood pressure but was not able to provide details. Staff advised they were not able to confirm what, if any, medications the individual was prescribed at the time of booking. Staff stated they had to request records from the hospital for a list of medications which they received later. However, the list of medications was three years old, so they did not have a list of current medications prescribed to the individual.

Staff advised that on the day the individual was brought to the jail, five hours after admission, the medical staff went to the individual's cell to conduct a medical interview to gather more information. The individual was also seen by medical in the morning the next day to get further details about medications and medical history. Staff stated at that meeting the individual provided a list of medications she was taking. However, the individual was not able to provide details about her prescriptions, such as doses and how many pills she is to take a day. Staff stated they were working on contacting the individual's doctors to verify her prescriptions, but the individual was released from jail that afternoon.

Staff advised that during the medical screening the individual disclosed that she had tried to overdose on medication. Staff stated when a correctional officer believes the inmate may harm themselves, the inmate is placed in an observation cell. When an inmate is placed in an observation cell, they are to be closely observed and checked frequently. Staff stated there is not a set time the inmate must be checked but typically it's every 5-15 minutes and should not be more than 15 minutes. When a correctional officer checks on an inmate it is documented on the inmate's isolation log. Staff stated the inmate is kept in a cell where video footage is available. It was unknown how long video footage is held but the video footage for this individual was no longer available.

Staff advised that male correctional officers are in charge of searching male inmates and female inmates are searched by female correctional officers. Staff stated a male staff member is not allowed to observe a female inmate in the shower or in the state of undress. Staff advised that when inmates shower, they are not observed by staff at all. Staff stated there is no documentation that the individual took a shower at all while at the jail. The observation logs for the individual showed she did go to “rec” one time during her time at the jail. Staff stated there are several “rec” areas and they were not sure which location the individual went to. One of the “rec” areas does have a shower so it is possible the individual did take a shower, but staff would have not observed the individual in the shower. Staff stated a male or female correctional officer could have escorted the individual to “rec”, but they could not advise who escorted the individual to the “rec” area. Staff advised the individual never made a complaint about a male officer observing her shower.

Policy Review:

The HRA reviewed the “Mclean County Detention Facility Inmate Information and Orientation Handbook” which stated that all medical needs will be handled by health services staff. Under “Health Services Department” it states “Nurses staff the Health Services Department seven (7) day a week. Nurse sick call is scheduled routinely on at least a daily basis in the Health Services Department. The MCDF Physician is available on-site for physician sick call weekly, generally on Tuesday. A physician is on-call twenty-four (24) hours per day, seven (7) days a week for medical problems or emergencies. The MCDF Psychiatrist is generally available weekly to evaluate individuals who have been referred by a MCDF counselor...Mental Health Counselors are available for consultation and evaluation. For a referral to see a Mental Health Counselor, please send an Inmate Request form to Inmate Services, the Shift Commander or to Medical Services. Crisis Team intervention will be provided by the Mclean County Center for Human Services as necessary.” Furthermore, under “Medications” it states “Routine medication rounds will be made twice daily beginning at 8:00am and at 4:00pm. Medication rounds may be made four times a day when necessary...If you brought your own personal prescription medications with you when you came to MCDF: medication will be verified with your Physician or Pharmacist. Medications will be stored in your personal property and will be returned to you upon release. In some cases, we may administer your personal medication to you while you are in the MCDF. Upon learning of your release to transfer from MCDF, notify an Officer of any personal medication that need to be picked up at the Medical office. Unclaimed medication will be kept in the Medical Department for two (2) weeks after your release and then will be discarded. A limited number of non-prescription medications, for example, Tylenol, may be administered through protocols which have been approved by the MCDF Physician. A number of over the counter medications are available for purchase through the Inmate Commissary. All requests must be put in writing on an Inmate Request each time medication is needed. The Inmate Request form must be addressed to the Health Services

at least one (1) hour prior to the afternoon (4:00pm) medication rounds and two (2) hours prior to the morning (8:00am) medication rounds....”.

The HRA reviewed the “Medication Administration Training” policy which states “The Health Services Department will be staffed 15.5 hours per day, seven (7) days per week, 365 days per year. Health Services staff are on site from 0630 until 2200 hours each day. During the hours when Health Services staff are on duty, all medication will be given by Health Services staff. The MCDF Physician may authorize correctional staff to administer prescription medication that needs to be administered during the night when Health Services staff are not available...”

The HRA reviewed the “Suicide Prevention Program” policy of the McLean County Jail which states under assessment “Inmates identified as at risk for suicide should be referred to Inmate Counselors or the Crisis Team if appropriate. Mental Health counselors will assess the individual and determine the level of the inmate’s suicide risk. The psychiatrist may only be contacted by medical staff or Inmate Counselors following assessment for additional evaluation and treatment. The mental health counselors or Health Services staff may contact the psychiatrist for additional evaluation and treatment necessary.” Furthermore, under monitoring it states “Inmates who have attempted suicide recently or are considered a high risk for suicide, will be housed in an area of observation such as a holding cell or in the booking area with other inmates. They will be monitored with Frequent and Staggered Supervision Checks. When deemed necessary the inmate will be placed in a suicide smock and given a suicide blanket. All other property will be removed with the exception of the mattress and pillow...”. Under “Training” the policy states “All correctional and Health Services staff will receive training on identifying and responding to suicidal individuals during the Basic Correctional Officers Training Course at the Academy or during initial orientation to the Mclean County Detention Facility. Per the Illinois County Jail Standards section 701.90 all jail staff shall be trained on suicide prevention and mental health issues. Mental health professionals may provide this training, the officer may view the state provided Mental health DVDs, online Mental health training or any combination of the three. The training shall include the nature and symptoms of suicide and mental illness. It shall also include the specifics of identification of suicidal and mentally ill individuals through recognition of verbal and behavioral cues, situational stressors, evaluation of detainee coping skills and other signs of potential risk. It shall also include monitoring, stabilization, and referral of the suicidal and mentally ill detainee.”

The “Search procedures” policy was reviewed and stated “Only male officers will search male inmates and only female officers will search female inmates. Male and female correctional officers will not observe the Strip Search of opposite sex inmates...Correctional officers conducting a strip search may not touch the person being searched except, as it is necessary to effect the search. If contact becomes necessary, more than one correctional officer will be present...”.

The McLean county Detention Facility “Pharmaceutical Operations” policy was reviewed and states under administration of medications “All medications will be under

the control of appropriate Health Services staff members. Qualified Health Services personnel will be available on-site at the MCDF to administer medications as prescribed 15.5 hours each day, seven (7) days a week, 365 days a year. In the event that no qualified Health Services personnel are available on-site, the on-call MCDF physician may authorize the Watch Commander to coordinate the health delivery services and will be responsible for proper administration and documentation of prescription medication on a limited basis. Correctional Officers may also give medication listed on the briefing that needs to be administered during the night or medication specifically ordered by the physician on notification. Inmates are permitted to carry medication necessary for the emergency management of a condition, e.g. Nitroglycerin, inhaler, when ordered by a practitioner. Inmates are permitted to purchase limited quantities of over the counter medications, e.g. Acetaminophen, (Tylenol), Ibuprofen (Advil), through Commissary and keep those medication on their person. Medication will be administered by Health Services staff at the following times: 0800 and 2000, 1100 and 1600 as needed...Health Services staff will utilize a Medication Administration Record for each inmate who received medication.”

The HRA reviewed McLean County Detention Facility policy titled “Basic Mental Health Services” which states “Mental Health services, including clinical evaluation and counseling sessions, are provided on site through contractual arrangements with Correct Care Solutions and the MCDF Counselors. 1) Correct Care Solutions provides a psychiatrist via tele-psychiatry for two and half hours a week and on call for the remainder of the time...2) MCDF provides Licensed Clinical Counselors on site for approximately fifty hours per week... 3) McLean County Center for Human Services will provide crisis team counselors for crisis intervention on an as needed basis, 24 hours per day, 7 days per week...”.

The HRA received a copy of “Mental Health Screening and Evaluation” policy which states “All individuals admitted to confinement will undergo an initial psychological screening...The initial mental health screening will include the following inquiries: 1) A history of psychiatric hospitalization and outpatient treatment, suicidal behavior, violent behavior, victimization, special education placement, head trauma or seizures and sex offenses. 2) current status of psychotropic medication, if any, suicidal ideation, drug and alcohol use, orientation to person, place and time, emotional response to incarceration, and a screening for intellectual functions. Inmates who have a positive screening for mental health issues will be referred to the MCDF counselors for further evaluation. The initial mental health screening, documentation of referral, and results of the evaluation will be a part of the inmate’s individual health record...”

Furthermore, the HRA reviewed the “Medication Services Policy” which states “...Inmates entering MCDF with prescription medication will continue to receive the medication as prescribed, or acceptable medications are provided as clinically indicated. This will be completed in a timely manner following verification with the legally authorized individual or the MCDF Physician. The Responsible Health Authority will monitor medication services to identify and resolve causes of delay and discontinuity...”.

The HRA reviewed the McLean County Detention Facility policy titled “Training for Correctional Officers” which states “All Correctional Officers who work with inmates receive health-related training at least every two years. The training is documented and includes, but not limited to the following ... Recognizing signs and symptoms of mental illness (conducted annually per Illinois County Jail Standards) ...”.

McLean County Detention Facility’s policy on “Physical Contact between Staff and Inmates” was reviewed by the HRA. The policy states “...No employee will view, for any purposes, an inmate in any state of undress for his/her personal stimulation, gratification or prurient interest. Any accidental viewing of an inmate where breast or genitalia are exposed shall be reported to their supervisor immediately...”.

The HRA reviewed “Admission Booking Procedure” for the McLean County Detention Facility. The policy stated “Medication that is brought in by the custody must be logged on the Property Receipt. This medication shall be dropped in the locked Medication Box in Booking Clerk’s Office. The medication will be logged on the Medication Log Sheet in Booking. The medical staff will be notified via phone call and an email of the following: When medication has been placed in the medication box and whether any of that medication required refrigeration, the location of all medication.” Furthermore, the policy states “The booking officer will ask the custody all questions listed on the Medical/Psychological Screening. The booking officer will not assume any answers. The booking officer has the responsibility of completing the medical/Psychological Screening as accurately as possible, as it is a primary source of information to determine if the custody has need for immediate medical attention (i.e., is diabetic, on prescribed medications). The Medical/Psychological screening is also a basic source of information for Classification Officer, Inmate Services Bureau and the Watch Commander to make initial classifications, cell assignments and to screen for any suicidal tendencies.” Under “shower” the policy states, “All arrestees will be required to take a shower before they are placed in MCDF population.”

Records Review:

The HRA reviewed the “McLean County Jail Correctional Sergeant’s Report” which showed the individual was taken to her cell about 2 hours after arriving at the jail.

The HRA reviewed “Inmate Orientation Program Needs Assessment and TB Screening” which was signed by the individual. Under “Assessment of Medical/Mental Health Needs: Part I” the boxes for “chronic cough lasting longer than (3) Three weeks” and “Weakness” were marked.

The HRA reviewed “McLean County Detention Facility Isolation Log” which shows the individual was placed in her cell on the morning of her arrival. The logs show that the individual was checked approximately every 15-30 minutes by jail staff. The log indicates that on that same day, in the afternoon the individual was at “rec”. On the morning of the next day the log stated, “out to medical” and twenty minutes later “back from medical.” Furthermore, the log shows the individual was “at court” for 15 minutes

that same afternoon. According to the log the individual bonded out on 12/14/2020 at 1800 hours.

The McLean county Inmate Social History Report for the individual was reviewed. Under mental/emotional treatment it stated “PTSD, Anxiety, social phobia with treatment, overdose on meds [date].” Additionally, the Mclean County Medical Screening Report was reviewed and stated under “pertinent information from outside agency in regard to behavior: Suicidal, high blood pressure, breast cancer problems, PTSD, social phobia anxiety...”. However, in section two it stated the individual was not a suicide risk. Additionally, in section four it stated, “attempted suicide: yes, thinking of hurting yourself: yes, previous mental problems: yes, psychiatric treatment: yes...”.

Conclusions

Complaint 1. Inadequate Mental Health Care

The County Jail Standards (20 Ill. Adm. Code 701.90) states “a) All jails shall provide a competent medical authority to ensure that the following documented medical and mental health services are available: 1) Collection and diagnosis of complaints. 2) Treatment of ailments. 3) Prescription of medications and special diets. 4) Arrangements for hospitalization. 5) Liaison with community medical facilities and resources. 6) Environmental health inspections. 7) Supervision of special treatment programs, such as alcohol and drug dependency. 8) Administration of medications, including emergency voluntary and involuntary administration of medication, including psychotropic medication, and distribution of medication when medical staff is not on site. 9) Maintenance and confidentiality of accurate medical and mental health records. 10) Maintenance of detailed records of medical supplies, particularly of narcotics, barbiturates, amphetamines and other dangerous drugs... 3) All detainees confined shall be given a medical screening by a medical doctor, a physician assistant, a nurse practitioner, a registered nurse or a licensed practical nurse within 14 days after confinement, and as required by a medical doctor thereafter... h) Mental Health Training Annually, jail officers and other personnel primarily assigned to correctional duties shall be trained on suicide prevention and mental health issues. The training shall be approved or provided by a mental health professional. 1) Suicide prevention training shall include the nature and symptoms of suicide; the specifics of identification of suicidal individuals through the recognition of verbal and behavioral cues, situational stressors, evaluation of detainee coping skills and other signs of potential risk; monitoring; evaluation; stabilization; and referral of suicidal individuals. 2) Mental health training shall include the nature of mental illness; symptoms; specifics of identification of mentally ill individuals through the recognition of verbal and behavioral cues symptoms of mental illness, situational stressors, evaluation of detainee coping skills and other signs of potential risk; monitoring; evaluation; stabilization; and referral of the mentally ill detainee.”

The County Jail Standards (20 Ill. Adm. Code 701.40) states “ i) Physical and Mental Health Assessments 1) The admitting officer shall observe the detainee for any obvious

injuries or illnesses requiring immediate emergency medical care, rashes, unusual cough, high temperature, body pests and general mental status. The officer shall determine by questioning whether the detainee: A) Has any medical condition that requires medical attention, such as dependence on drugs or alcohol, diabetes, epilepsy, allergies, asthma, heart condition, etc.; B) Has any indications of acute mental or emotional disturbance, mental illness, developmental disabilities or dual diagnosis; C) Is at imminent risk of self-harm as determined by the use of an approved screening instrument or history of medical illness; D) Is on medication; and E) If female, is pregnant. 2) Mental health screenings shall include either an assessment by a mental health professional or an assessment by a jail officer using an approved screening instrument for assessing mental health. 3) When a detainee shows signs of or reports unusual physical or mental distress, he or she shall be referred to health care personnel as soon as possible. A) Detainees exhibiting psychiatric symptoms, such as acute psychotic features or mood disturbances, or detainees who have a known psychiatric history shall be evaluated by a mental health professional. B) Detainees exhibiting suicidal behavior or ideations shall be placed in a reasonable level of care that provides for their safety and stability. j) Medication 1) Any medication in the possession of a detainee at admission shall be withheld until identification and verification of its proper use is obtained and documented by a licensed medical professional. Medical staff shall obtain verification as soon as possible, no later than the time interval specified for administration of the medication on the prescription container. 2) Medications shall be administered as prescribed.”

The individual was in the jail for approximately 34 hours. Upon arrival at the jail, the individual was not very forthcoming about her medical history or medications she was taking. Furthermore, the hospital did provide a list of medication for the individual however, the list of medication was three years old. The jail staff interviewed the individual twice, after booking, in an attempt to gather further medical history and medication details from the individual. During the third visit with medical, the individual did provide the jail staff a list of medications that she was taking. However, the individual was not able to provide details on the medications. The jail staff was not able to verify the medication with her physician due to the individual being released from the jail shortly after getting the medication list. Furthermore, the individual was placed in observation due to her attempt to overdose on medication. Nowhere in the isolation logs is it documented that the individual showered while she was at the jail. However, the individual did go to “rec”. Staff advised that one of the “rec” areas does have a shower, but it was unknown if the individual went to that “rec” area or if she showered while at the “rec” area. The HRA found no evidence that the individual showered or did not shower.

Based on the findings notated above the Peoria Human Rights Authority concludes that there was no evidence that consumers rights were violated, and the complaint is **unsubstantiated**.

The HRA did find conflicting information on the individuals “Inmate Social History Report”. The HRA **strongly suggests** the McLean County Jail verify all forms are filled out accurately. Furthermore, the HRA **strongly suggests** the McLean County Jail

encourage in person training vs DVD or online training as in person trainings are taken more seriously and is interactive.

RESPONSE

Notice: The following page(s) contain the provider response. Due to technical requirements, provider responses appear verbatim in retyped format.
