

AN ACT concerning juveniles.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 1. Short title. This Act may be cited as the End Youth Solitary Confinement Act.

Section 5. Purpose. The purpose of this Act is to end the use of solitary confinement for young detainees in detention centers for any purpose other than preventing immediate physical harm.

Section 10. Covered juvenile confinement.

(a) In this Act:

"Administrative hold" means the status assigned to a covered juvenile who is temporarily being housed in a particular covered juvenile center and includes, but is not limited to: a covered juvenile awaiting transfer to another juvenile detention center, a covered juvenile permanently assigned to another juvenile detention center being temporarily housed for purposes of attending court, the covered juvenile awaiting release, and the covered juvenile who was transferred to the Department of Corrections by mistake.

"Behavioral hold" means the status assigned to a covered

juvenile who is confined to the covered juvenile's own room or another area because he or she is engaging in dangerous behavior that poses a serious and immediate threat to his or her own safety, the safety of others, or the security of the juvenile detention center.

"Chief administrative officer" means the highest ranking official of a juvenile detention center.

"Confinement" means any instance when an individual covered juvenile is held for 15 minutes or more in a room, cell, or other area separated from other covered juveniles. Confinement may occur in locked or unlocked rooms. "Confinement" includes an administrative hold, behavioral hold, or investigative status. "Confinement" does not include medical isolation or quarantine, situations when a covered juvenile requests to go to his or her room, the movement of the covered juvenile between offices and classrooms while attending school, a covered juvenile who receives individual counseling or other therapeutic services, or staff who are in ongoing continuous conversation or processing with the covered juvenile such as a cool down.

"Covered juvenile" means any person under 21 years of age incarcerated in a Department of Juvenile Justice facility or any person under 18 years of age detained in a county facility under the authority of the local circuit court.

"Investigative status" means a status assigned to a covered juvenile for whom confinement is necessary for the

efficient and effective investigation of a Tier 2 or Tier 3 offense, as defined in the Department of Juvenile Justice's Administrative Directive 04.01.140.

"Tier 2" or "Tier 3" offense means a major rules violation that results in immediate disciplinary consequences that are assigned by the staff of a facility of the Illinois Department of Juvenile Justice reporting the violation.

(b) The use of room confinement at a youth facility for discipline, punishment, retaliation, or any reason other than as a temporary response to a juvenile's behavior that poses a serious and immediate risk of physical harm to any individual, including the juvenile, is prohibited.

(b-5) A covered juvenile may be placed on an administrative hold and confined when temporarily being housed in a particular juvenile detention center or for administrative or security purposes as personally determined by the chief administrative officer.

(b-6) Placement on administrative hold shall be subject to the following time limitations:

(1) when the covered juvenile is awaiting transfer to a youth facility or a more secure setting, the administrative hold may not exceed 3 business days; and

(2) the administrative hold may not exceed 7 calendar days when the covered juvenile is temporarily transferred to a different facility for the purposes of placement interviews, court appearances, or medical treatment.

(b-7) Whenever a covered juvenile is on an administrative hold, the Department shall provide the covered juvenile with access to the same programs and services received by covered juveniles in the general population. Any restrictions on movement or access to programs and services shall be documented and justified by the chief administrative officer.

(c) If a covered juvenile poses a serious and immediate risk of physical harm to any individual, including the juvenile, before a staff member of the facility places a covered juvenile in room confinement, the staff member shall attempt to use other less restrictive options, unless attempting those options poses a threat to the safety or security of any minor or staff.

(d) If a covered juvenile is placed in room confinement because the covered juvenile poses a serious and immediate risk of physical harm to himself or herself, or to others, the covered juvenile shall be released:

(1) immediately when the covered juvenile has sufficiently gained control so as to no longer engage in behavior that threatens serious and immediate risk of physical harm to himself or herself, or to others; or

(2) no more than 24 hours after being placed in room confinement if a covered juvenile does not sufficiently gain control as described in paragraph (1) of this subsection (d) and poses a serious and immediate risk of physical harm to himself or herself or others, not later

than:

(A) 3 hours after being placed in room confinement, in the case of a covered juvenile who poses a serious and immediate risk of physical harm to others; or

(B) 30 minutes after being placed in room confinement, in the case of a covered juvenile who poses a serious and immediate risk of physical harm only to himself or herself.

(e) If, after the applicable maximum period of confinement has expired, a covered juvenile continues to pose a serious and immediate risk of physical harm to others:

(1) the covered juvenile shall be transferred to another facility, when available, or internal location where services can be provided to the covered juvenile without relying on room confinement; or

(2) if a qualified mental health professional believes the level of crisis service needed is not currently available, a staff member of the facility shall initiate a referral to a location that can meet the needs of the covered juvenile.

(f) Each facility detaining covered juveniles shall report the use of each incident of room confinement to an independent ombudsperson for the Department of Juvenile Justice each month, including:

(1) the name of the covered juvenile;

(2) demographic data, including, at a minimum, age, race, gender, and primary language;

(3) the reason for room confinement, including how detention facility officials determined the covered juvenile posed an immediate risk of physical harm to others or to him or herself;

(4) the length of room confinement;

(5) the number of covered juveniles transferred to another facility or referral to a separate crisis location covered under subsection (e); and

(6) the name of detention facility officials involved in each instance of room confinement.

(g) An independent ombudsperson for the Department of Juvenile Justice may review a detention facility's adherence to this Section.