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Executive Summary

JHA made an abbreviated monitoring visit to Pontiac in February 2020. At the time of our visit, the facility had vacancies for several leadership positions; some have since been filled.

Due to the COVID-19 pandemic, draft review of this report with IDOC was delayed until September 2020.

Overall population at Pontiac during the February 2020 visit was 1,192 (797 on the maximum-security side and 395 housed in the Medium Security Unit (MSU)), compared to 2,018 (1,524 max and 494 MSU) at the time of JHA’s March 2015 visit, as reflected in the 2015 JHA Pontiac monitoring report. This reflected the maximum-security population, which has historically also housed the majority of people held in long-term disciplinary segregation within IDOC, being approximately halved in five years.

Meanwhile facility staffing had increased since March 2015, to 871 total staff reported in February 2020 (712 being security and 79 non-IDOC staff, such as contractual healthcare positions), compared to 754 (631 security) reported in 2015.

JHA celebrates this population reduction and commends IDOC making more data about facilities regularly publicly available in Operations and Management Reports and Quarterly reports published on their webpage, as JHA had recommended.

Other changes at the facility in relation to increasing mental health treatment capacity have been slowly implemented and the facility continued to have substantial staffing barriers.

Pontiac staff during our February 2020 visit commented that a constant in corrections is change and that Pontiac often is the site of new initiatives within IDOC. They stressed that Pontiac houses those who are considered the most dangerous individuals in IDOC. Hearing these concerns, we appreciated people’s willingness to work with new initiatives and rise to future challenges, as there is much still to be done. Health and safety of everyone at the facility must be considered in making strides to improve outcomes.
Disciplinary Segregation

In the abovementioned now public reporting, IDOC reported an end of the month count of 167 people housed in disciplinary segregation at Pontiac for February 2020. As of that date, Pontiac reportedly housed about 38% of the people within IDOC in male maximum-security facilities in disciplinary segregation status, and about 20% of all people in IDOC facilities in disciplinary segregation status (845).

At the time of our February 2020 visit to Pontiac, administrators reported they were reviewing instances where staff are writing many disciplinary tickets to try to better identify and address issues, which is good practice and as we have previously recommended. Often people in restrictive housing status will accumulate multiple tickets and extend or be unable to earn cuts on their length of time in segregation.

The total number of people held in Pontiac disciplinary segregation was almost halved in less than two years from 382 as at Pontiac in May of 2018, and represented about a fourth of the number who were held in disciplinary segregation at Pontiac, 656 people, approximately five years prior at the time of JHA’s March 2015 Pontiac visit.

Publicly available IDOC data, however, does still not provide all critical information about use of disciplinary segregation, e.g. length of stay in segregation, reasons for placement, etc. Moreover, data tracking of this information within IDOC even internally has been questionable. In addition, it is difficult to determine if other restrictive statuses are taking over in place of lowered disciplinary segregation usage within the Department.
IDOC responded to JHA’s request for additional data during draft review in September 2020. At that time, they reported that the person with the longest stay in segregation had been in segregation status almost three years and on paper had a segregation exit date more than 20 years in the future in 2041, which is after his projected release date; however, IDOC reported it was anticipated that he would get an early segregation release date in early 2021. IDOC also reported there were four people at Pontiac with indeterminate segregation status. Thirty people at Pontiac had already been in segregation status more than a year and 56 still had more than a year to serve in segregation status.

IDOC was also able to respond to some of JHA’s request for demographic information for the segregation population at Pontiac; the charts below represent this data as provided.

IDOC still lags correctional best practices regarding restrictive housing reforms and restrictions on housing vulnerable individuals in segregation despite reform and litigated efforts resulting in segregation population reductions.

In January 2020, IDOC announced a more deliberate approach to evaluating use of restrictive housing, as JHA has long recommended. We will continue to monitor these efforts, which should include not only reforms for disciplinary segregation but other statuses where individuals are confined to cells for extended periods.

We are encouraged that IDOC leadership circulated the Department of Justice’s January 2016 Report and Recommendations Concerning Use of Restrictive Housing to administrators. JHA has repeatedly called for IDOC to follow this guidance, as in our 2016-year-end monitoring report and recommendations. Additionally, current IDOC leadership supports IDOC becoming accredited by the American Correctional Association (ACA), which has issued guidance for restrictive housing that, if implemented in Illinois, would
change, and improve practices. We look forward to seeing IDOC efforts to conform with this guidance in facilities on future visits.

IDOC as of June 2019 has implemented departmentally a “Step-Up” curriculum for individuals who are expected to be released from segregation to the streets within six months, which is reportedly modeled on Pontiac programming. JHA looks forward to additional information and data to be made public on these efforts, while hoping that other segregation reduction initiatives will make them largely unnecessary. IDOC is now publicly reporting the number of individuals who parole or discharge from segregation in Quarterly Reports. In May 2020, 25 people were reported to be so released, four from Pontiac.

JHA has particular concerns for young adults being held in restrictive housing at Pontiac, as isolation is considered especially harmful for youth and during brain development. We also note that anecdotally it seems that disproportionately many people who are in restrictive housing status first entered the criminal justice system as young people, some even entering into IDOC under the age of 18 before this practice was changed due to the advocacy efforts of JHA and others. In Illinois, youth may be housed up to the age of 21 in the Illinois Department of Juvenile Justice, which prohibits the use of restrictive housing. However, many individuals 18-21 remain in such conditions in IDOC. JHA recommends IDOC better track and report on people in restrictive housing including demographics. People over 50 or 55, pregnant women, LGBTI individuals, and/or people with serious mental illness or other disabilities are also considered to be particularly vulnerable to harms of isolated confinement. IDOC has recently committed not to house pregnant women in segregation, as discussed in JHA’s 2019 Logan report.

In draft review IDOC provided some examples of incentives being used in restrictive housing, which include in some cases “day for day” segregation and grade cuts, i.e. for every good behavioral day a day of punitive time is cut. People could also earn set number of days or percentage reductions of their remaining segregation time by remaining ticket free for 30 days, in addition to ability to earn other incentives such as watching tv, or things like an extra food tray, books or soap. The incentive structure was not entirely clear from the materials provided, however, the attempt to motivate positive behavior through incentives and not punishments was suggested and more tangible than in the past.

IDOC also provided in draft review some additional information regarding a new initiative noting that Pontiac began using a Unit Management Model as of September 1, 2020. IDOC represents that this will promote a consistent and routine approach and will allow for better communications between staff and prisoners. Unit Management Teams, comprised of multidisciplinary staff, will be assigned the management of the unit and IDOC represents that issues will be addressed and resolved in each unit in a timely fashion with staff accountable for resolution through best practices, and that there will also be development of in-unit groups
and programming. JHA looks forward to learning more about and observing any future effects of this new model.

**Administrative Detention**

IDOC reported an end of the month count of 73 people housed in Administrative Segregation, also referred to as Administrative Detention (AD) at Pontiac for February 2020. This is up from 28 as reported in AD status at Pontiac in May of 2018, but down from 125 people at the time of JHA’s March 2015 Pontiac visit.

JHA has long expressed concerns regarding due process and housing conditions in AD, which is not supposed to be a punitive disciplinary status, as set out e.g. in our 2016 year-end report, 2015 Pontiac report, and 2013 Menard report.

In addition, we are opposed to communication restrictions placed on these individuals without explicit justifications, as discussed in our 2019 Communications Issues report.

We are encouraged that current IDOC leadership has committed to review and revise IDOC’s AD practices, as part of the restrictive housing improvements mentioned above, in addition to changing disciplinary segregation practices. JHA looks forward to observing changes to AD on future visits.

In September 2020 draft review IDOC reported that the person with the longest stay in AD had been in AD status more than 20 years and is over 60 years old. IDOC provided data showing that as of August eight people were in the most restrictive phase of AD (Phase 1), 11 were in Phase 2, and 56 were in Phase 3 (which is closest to being returned to general population). IDOC noted that clinical services was providing an in-cell study group for
people in Phase 2 or Phase 3 of AD and that people who complete this are given a certificate of completion and either a grade cut restoring privileges or, if they are already A-grade, they can earn a bar of soap.

IDOC was also able to respond to JHA’s request for some demographic information for the AD population at Pontiac; the charts below represent this data as provided.

### Healthcare

Pontiac administrators reported there had been a significant increase of younger incarcerated men requesting hearing tests and retests, with almost all being found hard of hearing by the outside audiologist, and that under the Holmes settlement individuals who are determined to be hard of hearing may be provided with assistive devices including hearing aids, watches, and headphones or other accommodations. IDOC administrators reported that as of September 2020, 143 people at Pontiac were receiving hearing accommodations.

Given an environment with minimal out-of-cell time and opportunity to earn money to spend on such items on commissary, it is not surprising that some people try to take advantage of this option to the detriment of others with more serious needs given that there are limited resources. However, in general, staff treatment of suspicion of people’s medical requests is dangerous and compliance with Americans with Disabilities Act (ADA) accommodation issues has not been a Departmental strength, as is apparent in ongoing litigation.
Administrators reported that they have seen an increase in healthcare requests since the beginning of 2020, due to the legislatively eliminated co-pay, as long advocated for by JHA. They reported this has resulted in some increased difficulty in seeing patients with the most urgent need. JHA is not surprised that in a setting such as Pontiac with minimal out-of-cell time and interaction that people are seeking out healthcare in greater numbers now that cost is not a barrier. As reported in IDOC’s Operations and Management Reports, sick calls increased from 484 in December 2019 (with 41,976 in IDOC) to 623 in January 2020 (with 50,489 in IDOC) when the co-pay was eliminated. In February there were 640 sick calls at Pontiac, but only 32,197 in IDOC. However, it is worth mentioning that the number of sick call requests is skyrocketing during the COVID-19 pandemic with a high of 1,035 requests at Pontiac in April 2020 and 95,468 in IDOC.

Administrators reported initial positive impressions of their work with the Lippert class action court-appointed monitor. Healthcare staff are looking forward to getting electronic medical records as is required by the Lippert consent decree by 2022 for all IDOC facilities.

Staff reported having a nurse work in the housing area housing individuals with more behavioral issues instead of having to move individuals to the infirmary has worked well.

**Mental Health**

As of February 2020, about half of the people at Pontiac (592) were reportedly on the mental health caseload and 237 were identified as Seriously Mentally Ill (SMI), approximately 20% of Pontiac’s population.

Mental health staffing was estimated to be better than in the past, but interviews were ongoing as there was turnover including staff moving between positions, e.g. from a contractor Wexford Health Sources, Inc. position to a State position, or from one facility to another. This was reported to be challenging because
training takes time and there is a learning curve. Staff reported recently losing someone who had done particularly well with a specific population, and that it takes time to find a good fit with new people. JHA was pleased to see that Pontiac had mental health interns, as we have long recommended; however, we continue to recommend the educational partnership target graduate level students, although we recognize that undergraduates may be able to soon work at the facility in some mental health capacity.

The fourth annual report of the Rasho court appointed monitor was filed June 1, 2020 and found “IDOC is Noncompliant in several areas that are integral in providing constitutional level mental health and psychiatric care… All of these deficiencies are due to not having a sufficient number of mental health and psychiatric staff.”

Mental health staff at Pontiac, as elsewhere, reported that required paperwork was “astronomical” and detracted from care.

Meeting the requirements for mental health group time under the Rasho settlement agreement had reportedly also been challenging at Pontiac because only certain individuals can be in group together and group sizes are smaller than first imagined due to safety concerns.

Some treatment space at Pontiac now has Plexiglas installed to deter people spitting or throwing things at each other.

Staff at Pontiac, as elsewhere, reported that while there is technically an option to send people to more intensive treatment settings, e.g. Joliet or Elgin Treatment Centers, they cannot send them because those facilities are not equipped to handle people with more dangerous, assaultive behavior. They report individuals have been returned to Pontiac because of reports that they were interrupting therapy, were not invested in treatment, and should not be taking the place of someone who would participate.

JHA was informed that allowing access to televisions has been an effective incentive, as we have encouraged. People who are in segregation status typically have their audio-visual privileges taken away and some individuals do not have the resources to buy TVs in prison (these cost about $200 for a 15-inch flat screen and people must use with headphones purchased at additional cost). People in segregation status are demoted to C grade, restricting privileges, and commonly have commissary shopping restrictions and do not receive the minimal $10 monthly state pay.

Mental health staff at Pontiac were also allowing people to watch TV at the end of groups if people are well-behaved. Other special TV incentives were available to people who went a period of time, e.g. a week,
without a ticket. For example, people had been permitted to watch the Super Bowl as a reward for good behavior. During our visit we observed people watching “Game of Thrones” as a reward.

Throughout IDOC, JHA has heard from people various issues with mental health groups and requests for more variety of treatment to be available, such as one-on-one, or other productive activities or out-of-cell opportunities. JHA has long stressed that out-of-cell time within IDOC is inadequate for people in many different settings, predictably resulting in behavioral issues and decompensation.

**Behavioral Management Unit**

In mid-January 2020, Pontiac established a unit referred to as a “Modified Therapeutic Community,” a Behavioral Management Unit (BMU). Such housing is relatively newly established in IDOC and exists for men also at Joliet and Illinois River.

The unit is reportedly intended to house people who are considered aggressive and need closer watching for medication compliance. It was reportedly created to separate individuals who were acting out and preying on others within mental health housing. For example, some individuals would encourage others who were considered more vulnerable to self-harm, smear feces, or act out in other ways that create stressful situations for staff and at times result in further discipline and isolation, such as calling for crisis constantly or reporting chest pains without a genuine need to get a medical response.

At the time of our February 2020 visit, the BMU housed 26 people. Some of these people were in segregation status.

Staff were reportedly carefully chosen for this area and all have had enhanced training on working with people with mental illness. Administrators noted that consistency is key in managing this unit in particular.

Incentives offered on the unit reportedly included one day of segregation cut for every day of program participation, as well as C grade cuts (i.e. increased privilege level restoration) and special commissary opportunities for going specified lengths of time without a ticket, e.g. 15 days. We note that commissary shopping as an effective privilege or incentive depends on individuals having funds available. As noted above, people who are in segregation status do not receive the $10 a month state pay and often people have debt for restitution. Staff also reported in February 2020 that recently bars of soap that are not typically available to the population were donated to the facility and they were being used also as an incentive, particularly for people who did not want to come out of their cells for showers or to encourage in-cell hygiene.
During the visit, JHA was pleased to encounter a young man in Pontiac’s library who we last saw when he been housed at Illinois River’s BMU; he reported he had earned his way out of segregation with a **50-year segregation cut**. BMUs can be effective in promoting improved behavior and restoration of privileges. However, JHA questions someone accumulating such an excessive segregation term in the first place and we hope changes to restrictive housing in IDOC will make this impossible in the future.

JHA recommends that IDOC create and make public uniform BMU policy and procedure and publish information about participation success.

**Sexual Misconduct Tickets**

Pontiac administrators reported that there had been a lot of problems in the past two to three years with men displaying their penises inappropriately or “masturbating” in front of staff, a behavior that is referred to as a “107” for the **disciplinary ticket number for sexual misconduct**.

People who are incarcerated sometimes report that this behavior is part of their mental health issues. However, staff were disinclined to believe that is the case because they note that people can conform their behavior for certain incentives.

While administrators believed the conduct started with an influx of people from Cook County Jail where the behaviors had been an issue, they report this type of acting out has spread among others in their population, some of whom have been in Pontiac for years without acting out in this fashion.

Staff report they have tried reinforcing uniforms to prevent people having access to their genitalia in groups or when out of their cells, but people are “tearing out the crotches.” In the [Cook County litigation](#) regarding this behavior it was noted that special jumpsuits and keeping people in cuffs prevented some of the behavior. Some people reported to JHA that they do not like being cuffed during mental health groups.

Staff believed that more cameras and even body cameras may be effective at deterring this behavior. JHA supports use of more cameras. However, we are concerned that if cameras will be used just for evidence to prosecute incarcerated people for misconduct, this will not appropriately address the underlying issues. IDOC administrators responded in draft review that five sexual misconduct investigations have been sent to the Livingston County State’s Attorney seeking a Public Indecency conviction. Some individuals at Pontiac will not live long enough to serve any additional time possibly added from a new prosecution and may not be deterred.
Female staff were reportedly targeted and threatened for writing tickets. Staff also reported that there have been competitions between people to accumulate the most 107 tickets, and that the behavior has not ceased during visits by others, including visiting politicians or monitors.

These issues affect staff retention and some staff reportedly are planning to sue for a hostile work environment, as has occurred with similar conduct with people incarcerated at Cook County Jail. Administrators have requested assistance addressing the issue.

Correctional Consultants the Moss Group visited Pontiac in early 2019 and administrators hoped that their report, which had not yet been made available, would help them better address this and other issues. IDOC administrators reported in September 2020 draft review that discussions with these consultants continue.

Incarcerated people shared that their impression was that a 107 ticket at Pontiac results in time added to segregation and loss of good time, but that the same ticket would be thrown out at Dixon. Another reported that he had been given false tickets for altering his uniform. Some individuals reported that because of restrictive measures taken to curtail these behaviors they were choosing not to participate in mental health groups, resulting in not being eligible for incentives and spending more time in cells.

JHA stresses the need for transparent and uniform response to this behavior. People are clearly trying to get a reaction. Unfortunately, the go-to reaction has been either further isolation, which causes people to act out, or rewarding people for ceasing the behavior in a way that is unavailable to people not displaying the behavior, which creates a motivation to engage in the behavior.

**Additional Updates**

**Physical Plant**

JHA was informed during the February 2020 visit that a recent renovation to the dietary area that did not allow servers to see whom they were serving had improved food delivery and eliminated workers showing preference in serving others.

We continued to hear and observe concerns regarding cell conditions, particularly relating to plumbing issues being unaddressed. We observed leaks and constantly running water and were told that multiple requests had been made for repairs without results. People requested more cleaning supplies, requested dust be cleaned from vents, and reported various heat and ventilation issues. People expressed concerns
regarding water quality and use improvised water filters that become discolored to try to clean their drinking water. People wanted environment safety testing to be conducted. JHA believes IDOC should be subject to regular outside independent health and sanitation safety inspections with results being made public.

Since our 2019 visit, Pontiac was employing five incarcerated people to assist with maintenance at the facility. In addition to helping out with needed maintenance repair, this position should build valuable employment skills and pays better than many other prison jobs at still only $45 a month.

On prior visits, JHA has recommended review of shower doors affording appropriate privacy. During this visit, we observed some showers in the protective custody (PC) area with doors that were purposely installed higher so that transgender women would be able to shower and have their breasts covered. Unfortunately, the raised height of the door would expose the genital area of some people. Varying heights and sight lines should be considered in installing privacy barriers to prevent cross-gender viewing of showers.

**Communications**

JHA continues to receive reports of delays with phone list approvals or with vendor Securus updating incarcerated people’s call lists preventing them from being able to contact family members at Pontiac and also other facilities as IDOC switched back to lists instead of having numbers added automatically as called, which caused other issues. One man at Pontiac reported this was a major hardship because his young children did not understand why he could not speak with them and he did not know what to do to get the issue addressed and felt like the only way to get an administrative response was to request a response to a mental health crisis.

Unfortunately, JHA often hears people express their impression is that staff will only address crises. Other people requested that vendor GTL tablets have increased capacities, such as the ability to make phone calls or earn certificates. Many people complain about the cost of the tablet ($120 with additional costs for services). Others lament the lack of manuals or instructions on use. At several facilities, including Pontiac, JHA has heard that there are connectivity issues in certain locations. This has been a particular problem during the COVID-19 pandemic lockdowns. In addition, many people reported not being able to take advantage of enhanced communications made available during the pandemic while visitation was restricted, including use of GTL video visits, based on disciplinary status, location, or technological issues. IDOC reported in September 2020 draft review that they continue to work with GTL to resolve issues.
Staff Conduct

JHA received some reports about staff misconduct concerns, including writing false tickets, denial of due process, and retaliation, as is typical. Other people reported difficulty getting responses for various things, including grievances. People wanted more staff accountability.

People reported that they did not know how to get review of statuses, such as elevated escape risk classification or other things affecting their placement, such as Keep Separate From (KSF) orders that were preventing them from being housed at a lower security facility because of people identified as their enemies being housed there. Current IDOC leadership plans to implement different risk assessment and classification tools, and reports they are committed to annual reviews.

Medium Security Unit (MSU)

Some people in MSU reported going months without hot water in the winter.

Another major issue reported was lack of WIFI reception for tablets in cells.

Pontiac’s MSU now has a C grade dorm to house people who have that privilege restriction due to discipline together. Departmental administrators report that this has been effective to avoid sending people to segregation. By housing people with phone, commissary, and audio-visual restrictions together, they can ensure that these individuals do not just use the phone Personal Identification Number (PIN), commissary, or TV of someone else, sometimes with consent or trading and sometimes with threats and bullying involved, which has been an issue throughout the Department.

JHA continues to oppose restricting communications as a disciplinary tactic, as it largely punishes people’s families and creates unnecessary barriers to family
connectedness and successful reentry. We also believe that people should be regularly reviewed for privilege restoration. We continue to hear some concerningly long periods of C-grade throughout IDOC.

IDOC administrators responded in draft review that **108 people at Pontiac had C-grade terms over a year**, which means they cannot call their families (although IDOC has reportedly waived this restriction during COVID-19 as visits are not occurring), and C-grade terms over three or six months were also fairly common. JHA thinks it unlikely that these sanctions, particularly lengthy sanctions, have any additional deterrent or positive behavioral effect.

**Education/Library**

We were pleased to hear that Pontiac has posted a position for a teacher for the maximum-security population; however, at the time of the visit, administrators were unaware of any applicants. No update was provided in draft review.

People continue to report too much time in cells without productive activity or opportunity.

JHA received some complaints regarding lack of assistance in law library and reports that certain materials including Agency Rules were unavailable. This is a common report JHA receives, particularly regarding Administrative and Institutional Directives as detailed in our **2019 Special Report** on Prisoner Access to Court and Adequate Law Libraries. Where people can be specific about missing materials, we will attempt to work with IDOC administrators to ensure materials are made available.

**Yard & Gym**

JHA recommends that camera coverage at this facility be comprehensive, and that supervision be increased and cameras be installed in gym, which is used by people in Protective Custody. No update was provided in draft review.

Some individuals in PC status requested to be able to bring games and literature to the yard and gym as had been allowed in the past, noting that not everyone wants to work out. JHA supports this.

JHA was pleased to hear experienced security staff agree with our perspective that the yard cages used for inmates in restrictive housing status, sometimes referred to as dog runs, are counter-productive and cause individuals to act out. JHA continues to recommend Pontiac and IDOC reconsider and enhance restrictive status recreation.
This report was written by JHA staff. Media inquiries should be directed to JHA’s Executive Director Jennifer Vollen-Katz at (312) 291-9555 x205 or jvollen@thejha.org

Incarcerated individuals can send privileged mail to report concerns and issues to the John Howard Association, P.O. Box 10042, Chicago, IL 60610-0042. JHA staff are reading every letter and tracking this information to monitor what is occurring behind prison walls and to advocate for humane policies and practices. Family and friends can contact JHA via our website www.thejha.org or by leaving a message at 312.291.9183 x208.

Since 1901, JHA has provided public oversight of Illinois’ juvenile and adult correctional facilities. Every year, JHA staff and trained volunteers inspect prisons, jails, and detention centers throughout the state. Based on these inspections, JHA regularly issues reports that are instrumental in improving prison conditions. JHA humbly thanks everyone who graciously shared their experiences and insights with us.

www.thejha.org

The John Howard Association was the proud recipient of the 2015 MacArthur Award for Creative and Effective Institutions