



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3090

Introduced 2/2/2024, by Sen. Rachel Ventura

SYNOPSIS AS INTRODUCED:

55 ILCS 75/2	from Ch. 23, par. 2682
730 ILCS 5/3-2.5-105 new	
730 ILCS 5/3-15-2	from Ch. 38, par. 1003-15-2
30 ILCS 105/5.1015 new	

Amends the County Shelter Care and Detention Home Act. Provides that the Director of Juvenile Justice may impose a civil penalty of \$100,000 for each violation of the minimum standards or instance of noncompliance in the 3 months after the date of the notice from the Department and after a hearing conducted by the Department of Juvenile Justice after providing at least 30 days' notice to the county board or board of county commissioners. Allows for enforcement of the civil penalty in circuit court and for the civil penalty to be deposited into the Redeploy Illinois Program Fund. Amends the State Finance Act to create the Redeploy Illinois Program Fund. Amends the Unified Code of Corrections. Creates the Juvenile Detention Center Strategic Utilization Task Force to review and study the necessity of juvenile detention centers, complaints that arise out of the county juvenile detention centers in the State of Illinois, and community-based alternatives to juvenile detention. Includes provisions about Task Force membership and duties. Repeals the provisions on January 1, 2026. Provides that, if a county juvenile detention and shelter care facility is not in compliance with the Department of Juvenile Justice's standards after 3 (rather than 6) months have elapsed from the giving of a notice of noncompliance, the Director of Corrections or the Director of Juvenile Justice may petition the appropriate court for an order requiring such facility to comply with the standards established by the Department or for other appropriate relief. Effective immediately.

LRB103 38195 AWJ 68328 b

1 AN ACT concerning government.

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

4 Section 5. The County Shelter Care and Detention Home Act
5 is amended by changing Section 2 as follows:

6 (55 ILCS 75/2) (from Ch. 23, par. 2682)

7 Sec. 2. Minimum standards; noncompliance.

8 (a) Each county shelter care home and detention home
9 authorized and established by this Act shall comply with
10 minimum standards established by the Department of Juvenile
11 Justice. No neglected or abused minor, addicted minor,
12 dependent minor or minor requiring authoritative intervention,
13 as defined in the Juvenile Court Act of 1987, or minor alleged
14 to be such, may be detained in any county detention home.

15 (b) If, upon notice of noncompliance with the minimum
16 standards by the Department of Juvenile Justice, the county
17 shelter care home and detention home does not come into
18 compliance within 3 months of the notice, the Director of
19 Juvenile Justice may impose a civil penalty of \$100,000 for
20 each violation of the minimum standards or instance of
21 noncompliance in the 3 months after the date of the notice
22 after a hearing conducted by the Department of Juvenile
23 Justice after providing at least 30 days' notice to the county

1 board or board of county commissioners. The Attorney General
2 or the State's Attorney of the county where the noncompliance
3 occurred may file an action to enforce a civil penalty imposed
4 under this subsection. The Director of Juvenile Justice shall
5 impose a civil penalty under this subsection every 3 months
6 for the duration of noncompliance for every violation or
7 instance of noncompliance.

8 Civil penalties imposed under this subsection shall be
9 deposited into the Redeploy Illinois Program Fund, a special
10 fund special fund that is created in the State treasury, and,
11 subject to civil penalties being deposited into the fund,
12 shall be dispensed as directed by the Director of the
13 Department of Juvenile Justice to be expended for the use in
14 the Redeploy Illinois Program.

15 (Source: P.A. 94-696, eff. 6-1-06.)

16 Section 10. The Unified Code of Corrections is amended by
17 changing Section 3-15-2 and by adding Section 3-2.5-105 as
18 follows:

19 (730 ILCS 5/3-2.5-105 new)

20 Sec. 3-2.5-105. Juvenile Detention Center Strategic
21 Utilization Task Force.

22 (a) The Juvenile Detention Center Strategic Utilization
23 Task Force is created. The purpose of the Task Force is to
24 review and study the necessity of juvenile detention centers,

1 complaints that arise out of the county juvenile detention
2 centers in the State of Illinois, and community-based
3 alternatives to juvenile detention.

4 (b) The Task Force shall consist of the following members:

5 (1) A member of the Senate appointed by the President
6 of the Senate.

7 (2) A member of the Senate appointed by the Minority
8 Leader of the Senate.

9 (3) A member of the House appointed by the Speaker of
10 the House.

11 (4) A member of the House appointed by the Minority
12 Leader of the House.

13 (5) A member appointed by the Director of Juvenile
14 Justice.

15 (6) A member appointed by the Director of Human
16 Rights.

17 (7) A member appointed by the Independent Juvenile
18 Ombudsman.

19 (8) A member appointed by the Independent Juvenile
20 Ombudsman who represents an organization that advocates
21 for a community-based rehabilitation or systems impacted
22 individuals.

23 (9) A member appointed by the Independent Juvenile
24 Ombudsman who represents an organization that advocates
25 for juvenile justice reform.

26 (10) A member appointed by the Illinois Juvenile

1 Justice Commission.

2 (11) A member appointed by the Director of the
3 Governor's Office of Management and Budget.

4 (12) Two members appointed by the Lieutenant Governor
5 who are members of a county board of a county operating a
6 county detention facility.

7 (13) Two members appointed by the Director of Juvenile
8 Justice who are over the age 18 and who have served any
9 amount of time in a county juvenile detention facility.

10 (c) Appointments to the Task Force shall be made within 30
11 days after the effective date of this amendatory act of the
12 103rd General Assembly. Members shall serve without
13 compensation.

14 (d) The Task Force shall meet at the call of a cochair at
15 least quarterly to fulfill its duties. The members appointed
16 by the Senate President and Speaker of the House of
17 Representatives shall serve as cochairs of the Task Force.

18 (e) The Task Force has the following duties:

19 (1) engage community organizations, interested groups,
20 and members of the public for the purpose of assessing:

21 (A) community-based alternatives to detention and
22 the adoption and implementation of such alternatives;

23 (B) the needs of juveniles detained in county
24 detention facilities;

25 (C) strategic planning for a transition away from
26 juvenile detention facilities; and

1 (D) if there would be a benefit for the State to
2 run detention centers for persons awaiting sentencing
3 or court determination for extreme cases in lieu of
4 counties providing this service;

5 (2) review available research and data on the benefits
6 of community-based alternatives to detention vs the
7 benefits of juvenile detention;

8 (3) review complaints and instances of noncompliance
9 arising out of each county juvenile detention facility in
10 the State; and

11 (4) make recommendations or suggestions for changes to
12 the County Shelter Care Home and Detention Home Act and
13 the Unified Code of Corrections, including changes and
14 improvements to the juvenile detention system.

15 (f) On or before January 1, 2025, the Task Force shall
16 publish a final report of its findings and recommendations.
17 The report shall, at a minimum, detail findings and
18 recommendations related to the duties of the Task Force and
19 the following:

20 (1) the process and standards used to determine
21 whether a juvenile will be detained in a county facility;

22 (2) information and recommendations on detention
23 facility standards, including how to ensure compliance
24 with minimum standards, which facilities are chronically
25 noncompliant and reasons for noncompliance, including
26 specific instances of noncompliance, and penalties for

1 noncompliance; and

2 (3) strategic planning suggestions to transition away
3 from juvenile detention.

4 The final report shall be submitted to the General
5 Assembly, the Offices of the Governor and Lieutenant Governor,
6 the Chief Judge of each circuit court operating a county
7 detention facility, the county board of each county operating
8 a county detention facility, and the Office of the Attorney
9 General.

10 (g) The Department of Juvenile Justice shall provide
11 administrative support for the Task Force.

12 (h) This Section is repealed on January 1, 2026.

13 (730 ILCS 5/3-15-2) (from Ch. 38, par. 1003-15-2)

14 Sec. 3-15-2. Standards and Assistance to Local Jails and
15 Detention and Shelter Care Facilities.

16 (a) The Department of Corrections shall establish for the
17 operation of county and municipal jails and houses of
18 correction, minimum standards for the physical condition of
19 such institutions and for the treatment of inmates with
20 respect to their health and safety and the security of the
21 community.

22 The Department of Juvenile Justice shall establish for the
23 operation of county juvenile detention and shelter care
24 facilities established pursuant to the County Shelter Care and
25 Detention Home Act, minimum standards for the physical

1 condition of such institutions and for the treatment of
2 juveniles with respect to their health and safety and the
3 security of the community.

4 Such standards shall not apply to county shelter care
5 facilities which were in operation prior to January 1, 1980.
6 Such standards shall not seek to mandate minimum floor space
7 requirements for each inmate housed in cells and detention
8 rooms in county and municipal jails and houses of correction.
9 However, no more than two inmates may be housed in a single
10 cell or detention room.

11 When an inmate is tested for an airborne communicable
12 disease, as determined by the Illinois Department of Public
13 Health including but not limited to tuberculosis, the results
14 of the test shall be personally delivered by the warden or his
15 or her designee in a sealed envelope to the judge of the court
16 in which the inmate must appear for the judge's inspection in
17 camera if requested by the judge. Acting in accordance with
18 the best interests of those in the courtroom, the judge shall
19 have the discretion to determine what if any precautions need
20 to be taken to prevent transmission of the disease in the
21 courtroom.

22 (b) At least once each year, the Department of Corrections
23 may inspect each adult facility for compliance with the
24 standards established and the results of such inspection shall
25 be made available by the Department for public inspection. At
26 least once each year, the Department of Juvenile Justice shall

1 inspect each county juvenile detention and shelter care
2 facility for compliance with the standards established, and
3 the Department of Juvenile Justice shall make the results of
4 such inspections available for public inspection. If any
5 detention, shelter care or correctional facility does not
6 comply with the standards established, the Director of
7 Corrections or the Director of Juvenile Justice, as the case
8 may be, shall give notice to the county board and the sheriff
9 or the corporate authorities of the municipality, as the case
10 may be, of such noncompliance, specifying the particular
11 standards that have not been met by such facility. If the
12 facility is not in compliance with such standards when 3 ~~six~~
13 months have elapsed from the giving of such notice, the
14 Director of Corrections or the Director of Juvenile Justice,
15 as the case may be, may petition the appropriate court for an
16 order requiring such facility to comply with the standards
17 established by the Department or for other appropriate relief.

18 (c) The Department of Corrections may provide consultation
19 services for the design, construction, programs and
20 administration of correctional facilities and services for
21 adults operated by counties and municipalities and may make
22 studies and surveys of the programs and the administration of
23 such facilities. Personnel of the Department shall be admitted
24 to these facilities as required for such purposes. The
25 Department may develop and administer programs of
26 grants-in-aid for correctional services in cooperation with

1 local agencies. The Department may provide courses of training
2 for the personnel of such institutions and conduct pilot
3 projects in the institutions.

4 (c-5) The Department of Juvenile Justice may provide
5 consultation services for the design, construction, programs,
6 and administration of detention and shelter care services for
7 children operated by counties and municipalities and may make
8 studies and surveys of the programs and the administration of
9 such facilities. Personnel of the Department of Juvenile
10 Justice shall be admitted to these facilities as required for
11 such purposes. The Department of Juvenile Justice may develop
12 and administer programs of grants-in-aid for juvenile
13 correctional services in cooperation with local agencies. The
14 Department of Juvenile Justice may provide courses of training
15 for the personnel of such institutions and conduct pilot
16 projects in the institutions.

17 (d) The Department is authorized to issue reimbursement
18 grants for counties, municipalities or public building
19 commissions for the purpose of meeting minimum correctional
20 facilities standards set by the Department under this Section.
21 Grants may be issued only for projects that were completed
22 after July 1, 1980 and initiated prior to January 1, 1987.

23 (1) Grants for regional correctional facilities shall
24 not exceed 90% of the project costs or \$7,000,000,
25 whichever is less.

26 (2) Grants for correctional facilities by a single

1 county, municipality or public building commission shall
2 not exceed 75% of the proposed project costs or
3 \$4,000,000, whichever is less.

4 (3) As used in this subsection (d), "project" means
5 only that part of a facility that is constructed for jail,
6 correctional or detention purposes and does not include
7 other areas of multi-purpose buildings.

8 Construction or renovation grants are authorized to be
9 issued by the Capital Development Board from capital
10 development bond funds after application by a county or
11 counties, municipality or municipalities or public building
12 commission or commissions and approval of a construction or
13 renovation grant by the Department for projects initiated
14 after January 1, 1987.

15 (e) The Department of Corrections shall adopt standards
16 for county jails to hold juveniles on a temporary basis, as
17 provided in Section 5-410 of the Juvenile Court Act of 1987.
18 These standards shall include monitoring, educational,
19 recreational, and disciplinary standards as well as access to
20 medical services, crisis intervention, mental health services,
21 suicide prevention, health care, nutritional needs, and
22 visitation rights. The Department of Corrections shall also
23 notify any county applying to hold juveniles in a county jail
24 of the standards for juvenile detention under Section 5-410 of
25 the Juvenile Court Act of 1987.

26 (Source: P.A. 98-685, eff. 1-1-15.)

1 Section 15. The State Finance Act is amended by adding
2 Section 5.1015 as follows:

3 (30 ILCS 105/5.1015 new)

4 Sec. 5.1015. The Redeploy Illinois Program Fund.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.