

# HB2202



## 102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2202

Introduced 2/17/2021, by Rep. Jim Durkin

### SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-2-5

from Ch. 38, par. 1003-2-5

Amends the Unified Code of Corrections. Makes a technical change in a Section concerning the organization of the Department of Corrections and the Department of Juvenile Justice.

LRB102 12440 KMF 17777 b

A BILL FOR

1 AN ACT concerning criminal law.

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

4 Section 5. The Unified Code of Corrections is amended by  
5 changing Section 3-2-5 as follows:

6 (730 ILCS 5/3-2-5) (from Ch. 38, par. 1003-2-5)

7 Sec. 3-2-5. Organization of the Department of Corrections  
8 and the Department of Juvenile Justice.

9 (a) There shall be a Department of Corrections which shall  
10 be administered by a Director and ~~and~~ an Assistant Director  
11 appointed by the Governor under the Civil Administrative Code  
12 of Illinois. The Assistant Director shall be under the  
13 direction of the Director. The Department of Corrections shall  
14 be responsible for all persons committed or transferred to the  
15 Department under Sections 3-10-7 or 5-8-6 of this Code.

16 (b) There shall be a Department of Juvenile Justice which  
17 shall be administered by a Director appointed by the Governor  
18 under the Civil Administrative Code of Illinois. The  
19 Department of Juvenile Justice shall be responsible for all  
20 persons under 18 years of age when sentenced to imprisonment  
21 and committed to the Department under subsection (c) of  
22 Section 5-8-6 of this Code, Section 5-10 of the Juvenile Court  
23 Act, or Section 5-750 of the Juvenile Court Act of 1987.

1 Persons under 18 years of age committed to the Department of  
2 Juvenile Justice pursuant to this Code shall be sight and  
3 sound separate from adult offenders committed to the  
4 Department of Corrections.

5 (c) The Department shall create a gang intelligence unit  
6 under the supervision of the Director. The unit shall be  
7 specifically designed to gather information regarding the  
8 inmate gang population, monitor the activities of gangs, and  
9 prevent the furtherance of gang activities through the  
10 development and implementation of policies aimed at deterring  
11 gang activity. The Director shall appoint a Corrections  
12 Intelligence Coordinator.

13 All information collected and maintained by the unit shall  
14 be highly confidential, and access to that information shall  
15 be restricted by the Department. The information shall be used  
16 to control and limit the activities of gangs within  
17 correctional institutions under the jurisdiction of the  
18 Illinois Department of Corrections and may be shared with  
19 other law enforcement agencies in order to curb gang  
20 activities outside of correctional institutions under the  
21 jurisdiction of the Department and to assist in the  
22 investigations and prosecutions of gang activity. The  
23 Department shall establish and promulgate rules governing the  
24 release of information to outside law enforcement agencies.  
25 Due to the highly sensitive nature of the information, the  
26 information is exempt from requests for disclosure under the

1 Freedom of Information Act as the information contained is  
2 highly confidential and may be harmful if disclosed.

3 (Source: P.A. 98-463, eff. 8-16-13; 99-628, eff. 1-1-17.)