

SB0789



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB0789

Introduced 2/25/2021, by Sen. Don Harmon

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 15694 KMF 21058 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.)