

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 3-5-1 as follows:

6 (730 ILCS 5/3-5-1) (from Ch. 38, par. 1003-5-1)

7 Sec. 3-5-1. Master Record File.

8 (a) The Department of Corrections and the Department of
9 Juvenile Justice shall maintain a master record file on each
10 person committed to it, which shall contain the following
11 information:

12 (1) all information from the committing court;

13 (1.5) ethnic and racial background data collected in
14 accordance with Section 4.5 of the Criminal Identification
15 Act;

16 (2) reception summary;

17 (3) evaluation and assignment reports and
18 recommendations;

19 (4) reports as to program assignment and progress;

20 (5) reports of disciplinary infractions and
21 disposition, including tickets and Administrative Review
22 Board action;

23 (6) any parole or aftercare release plan;

- 1 (7) any parole or aftercare release reports;
- 2 (8) the date and circumstances of final discharge;
- 3 (9) criminal history;
- 4 (10) current and past gang affiliations and ranks;
- 5 (11) information regarding associations and family
- 6 relationships;
- 7 (12) any grievances filed and responses to those
- 8 grievances; ~~and~~
- 9 (13) other information that the respective Department
- 10 determines is relevant to the secure confinement and
- 11 rehabilitation of the committed person; ~~-~~
- 12 (14) the last known address provided by the person
- 13 committed; and
- 14 (15) all medical and dental records.

15 (b) All files shall be confidential and access shall be

16 limited to authorized personnel of the respective Department

17 or by disclosure in accordance with a court order or subpoena.

18 Personnel of other correctional, welfare or law enforcement

19 agencies may have access to files under rules and regulations

20 of the respective Department. The respective Department shall

21 keep a record of all outside personnel who have access to

22 files, the files reviewed, any file material copied, and the

23 purpose of access. If the respective Department or the

24 Prisoner Review Board makes a determination under this Code

25 which affects the length of the period of confinement or

26 commitment, the committed person and his counsel shall be

1 advised of factual information relied upon by the respective
2 Department or Board to make the determination, provided that
3 the Department or Board shall not be required to advise a
4 person committed to the Department of Juvenile Justice any
5 such information which in the opinion of the Department of
6 Juvenile Justice or Board would be detrimental to his
7 treatment or rehabilitation.

8 (c) The master file shall be maintained at a place
9 convenient to its use by personnel of the respective
10 Department in charge of the person. When custody of a person is
11 transferred from the Department to another department or
12 agency, a summary of the file shall be forwarded to the
13 receiving agency with such other information required by law
14 or requested by the agency under rules and regulations of the
15 respective Department.

16 (d) The master file of a person no longer in the custody of
17 the respective Department shall be placed on inactive status
18 and its use shall be restricted subject to rules and
19 regulations of the Department.

20 (e) All public agencies may make available to the
21 respective Department on request any factual data not
22 otherwise privileged as a matter of law in their possession in
23 respect to individuals committed to the respective Department.

24 (f) A committed person may request a summary of the
25 committed person's master record file once per year and the
26 committed person's attorney may request one summary of the

1 committed person's master record file once per year. The
2 Department shall create a form for requesting this summary,
3 and shall make that form available to committed persons and to
4 the public on its website. Upon receipt of the request form,
5 the Department shall provide the summary within 15 days. The
6 summary must contain, unless otherwise prohibited by law:

7 (1) the person's name, ethnic, racial, and other
8 identifying information;

9 (2) all digitally available information from the
10 committing court;

11 (3) all information in the Offender 360 system on the
12 person's criminal history;

13 (4) the person's complete assignment history in the
14 Department of Corrections;

15 (5) the person's disciplinary card;

16 (6) additional records about up to 3 specific
17 disciplinary incidents as identified by the requester;

18 (7) any available records about up to 5 specific
19 grievances filed by the person, as identified by the
20 requester; and

21 (8) the records of all grievances filed on or after
22 January 1, 2023.

23 Notwithstanding any provision of this subsection (f) to
24 the contrary, a committed person's master record file is not
25 subject to disclosure and copying under the Freedom of
26 Information Act.

1 (g) Subject to appropriation, on or before July 1, 2025,
2 the Department of Corrections shall digitalize all newly
3 committed persons' master record files who become incarcerated
4 and all other new information that the Department maintains
5 concerning its correctional institutions, facilities, and
6 individuals incarcerated.

7 (h) Subject to appropriation, on or before July 1, 2027,
8 the Department of Corrections shall digitalize all medical and
9 dental records in the master record files and all other
10 information that the Department maintains concerning its
11 correctional institutions and facilities in relation to
12 medical records, dental records, and medical and dental needs
13 of committed persons.

14 (i) Subject to appropriation, on or before July 1, 2029,
15 the Department of Corrections shall digitalize all information
16 in the master record files and all other information that the
17 Department maintains concerning its correctional institutions
18 and facilities.

19 (j) The Department of Corrections shall adopt rules to
20 implement subsections (g), (h), and (i) if appropriations are
21 available to implement these provisions.

22 (k) Subject to appropriation, the Department of
23 Corrections, in consultation with the Department of Innovation
24 and Technology, shall conduct a study on the best way to
25 digitize all Department of Corrections records and the impact
26 of that digitizing on State agencies, including the impact on

1 the Department of Innovation and Technology. The study shall
2 be completed on or before January 1, 2024.

3 (Source: P.A. 102-776, eff. 1-1-23; 102-784, eff. 5-13-22;
4 revised 12-14-22.)

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