



Sen. Kwame Raoul

**Filed: 3/25/2009**

09600SB1725sam001

LRB096 07482 RLC 24079 a

1 AMENDMENT TO SENATE BILL 1725

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1725 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Children and Family Services Act is amended  
5 by changing Section 17a-5 as follows:

6 (20 ILCS 505/17a-5) (from Ch. 23, par. 5017a-5)

7 Sec. 17a-5. The Department of Human Services shall be  
8 successor to the Department of Children and Family Services in  
9 the latter Department's capacity as successor to the Illinois  
10 Law Enforcement Commission in the functions of that Commission  
11 relating to juvenile justice and the federal Juvenile Justice  
12 and Delinquency Prevention Act of 1974 as amended, and shall  
13 have the powers, duties and functions specified in this Section  
14 relating to juvenile justice and the federal Juvenile Justice  
15 and Delinquency Prevention Act of 1974, as amended.

16 (1) Definitions. As used in this Section:

1           (a) "juvenile justice system" means all activities by  
2 public or private agencies or persons pertaining to the  
3 handling of youth involved or having contact with the  
4 police, courts or corrections;

5           (b) "unit of general local government" means any  
6 county, municipality or other general purpose political  
7 subdivision of this State;

8           (c) "Commission" means the Illinois Juvenile Justice  
9 Commission provided for in Section 17a-9 of this Act.

10          (2) Powers and Duties of Department. The Department of  
11 Human Services shall serve as the official State Planning  
12 Agency for juvenile justice for the State of Illinois and in  
13 that capacity is authorized and empowered to discharge any and  
14 all responsibilities imposed on such bodies by the federal  
15 Juvenile Justice and Delinquency Prevention Act of 1974, as  
16 amended, specifically the deinstitutionalization of status  
17 offenders, separation of juveniles and adults in municipal and  
18 county jails, removal of juveniles from county and municipal  
19 jails and monitoring of compliance with these mandates. In  
20 furtherance thereof, the Department has the powers and duties  
21 set forth in paragraphs 3 through 15 of this Section:

22          (3) To develop annual comprehensive plans based on analysis  
23 of juvenile crime problems and juvenile justice and delinquency  
24 prevention needs in the State, for the improvement of juvenile  
25 justice throughout the State, such plans to be in accordance  
26 with the federal Juvenile Justice and Delinquency Prevention

1 Act of 1974, as amended;

2 (4) To define, develop and correlate programs and projects  
3 relating to administration of juvenile justice for the State  
4 and units of general local government within the State or for  
5 combinations of such units for improvement in law enforcement:

6 (5) To advise, assist and make recommendations to the  
7 Governor as to how to achieve a more efficient and effective  
8 juvenile justice system;

9 (5.1) To develop recommendations to ensure the effective  
10 reintegration of youth offenders into the families and  
11 communities to which they are returning, the Department of  
12 Human Services shall advise and assist the Illinois Juvenile  
13 Justice Commission, utilizing information provided by the  
14 Department of Juvenile Justice, the Prisoner Review Board, the  
15 Illinois Criminal Justice Information Authority, and any other  
16 relevant State agency, to develop by September 30, 2009, a  
17 report on juveniles who have been the subject of a parole  
18 revocation within the past year in Illinois. The report shall  
19 provide information on the number of youth confined in the  
20 Department of Juvenile Justice for revocation based on a  
21 technical parole violation, the nature of the technical parole  
22 violation, the length of time the youth spent on parole prior  
23 to the revocation, the services provided to each minor while on  
24 parole, the nature of the underlying offense that served as the  
25 basis for the original commitment, demographic information  
26 including age, race, sex, and zip code of the underlying

1 offense and the conduct leading to revocation, and the  
2 procedural safeguards provided during the parole revocation.  
3 In addition, the Department of Human Services shall advise and  
4 assist the Juvenile Justice Commission to develop  
5 recommendations to:

6 (A) recommend the development of a tracking system to  
7 provide quarterly statewide reports on youth released from  
8 the Illinois Department of Juvenile Justice including  
9 lengths of stay in the Illinois Department of Juvenile  
10 Justice prior to release, length of monitoring  
11 post-release, pre-release services provided to each youth,  
12 post-release services provided to each youth, violations  
13 of release conditions including length of release prior to  
14 violation, nature of violation and intermediate sanctions  
15 offered prior to violation;

16 (B) recommend procedural safeguards to assure each  
17 youth of a full due process hearing on any allegation of  
18 violation of a condition of release; and

19 (C) recommend outcome measures of educational  
20 attainment, employment, homelessness, recidivism, and  
21 other appropriate measures that can be used to assess the  
22 performance of the State of Illinois in operating youth  
23 offender reentry programs.

24 The Department of Human Services shall advise and assist  
25 the Juvenile Justice Commission to include information and  
26 recommendations on the effectiveness of the State's juvenile

1 reentry programming, including progress on the recommendations  
2 in subparagraphs (A) through (C) of this paragraph (5.1), in  
3 its annual submission of recommendations to the Governor and  
4 the General Assembly on matters relative to its function, and  
5 in its annual juvenile justice plan. This paragraph (5.1) may  
6 be cited as the Youth Reentry Improvement Law of 2009;

7 (6) To act as a central repository for federal, State,  
8 regional and local research studies, plans, projects, and  
9 proposals relating to the improvement of the juvenile justice  
10 system;

11 (7) To act as a clearing house for information relating to  
12 all aspects of juvenile justice system improvement;

13 (8) To undertake research studies to aid in accomplishing  
14 its purposes;

15 (9) To establish priorities for the expenditure of funds  
16 made available by the United States for the improvement of the  
17 juvenile justice system throughout the State;

18 (10) To apply for, receive, allocate, disburse, and account  
19 for grants of funds made available by the United States  
20 pursuant to the federal Juvenile Justice and Delinquency  
21 Prevention Act of 1974, as amended; and such other similar  
22 legislation as may be enacted from time to time in order to  
23 plan, establish, operate, coordinate, and evaluate projects  
24 directly or through grants and contracts with public and  
25 private agencies for the development of more effective  
26 education, training, research, prevention, diversion,

1 treatment and rehabilitation programs in the area of juvenile  
2 delinquency and programs to improve the juvenile justice  
3 system;

4 (11) To insure that no more than the maximum percentage of  
5 the total annual State allotment of juvenile justice funds be  
6 utilized for the administration of such funds;

7 (12) To provide at least 66-2/3 per centum of funds  
8 received by the State under the Juvenile Justice and  
9 Delinquency Prevention Act of 1974, as amended, are expended  
10 through:

11 (a) programs of units of general local government or  
12 combinations thereof, to the extent such programs are  
13 consistent with the State plan; and

14 (b) programs of local private agencies, to the extent  
15 such programs are consistent with the State plan;

16 (13) To enter into agreements with the United States  
17 government which may be required as a condition of obtaining  
18 federal funds;

19 (14) To enter into contracts and cooperate with units of  
20 general local government or combinations of such units, State  
21 agencies, and private organizations of all types, for the  
22 purpose of carrying out the duties of the Department imposed by  
23 this Section or by federal law or regulations;

24 (15) To exercise all other powers that are reasonable and  
25 necessary to fulfill its functions under applicable federal law  
26 or to further the purposes of this Section.

1 (Source: P.A. 89-507, eff. 7-1-97.)

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.".