



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB0806

by Rep. Sara Wojcicki Jimenez

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-8-7.5

Amends the Unified Code of Corrections. Provides that an inmate may not receive nor possess a photograph of a minor under 18 years of age while incarcerated in an institution or facility of the Department of Corrections if he or she has been convicted of any of the following offenses if the victim of the offense was under 18 years of age at the time of the commission of the offense: (1) criminal sexual assault; (2) aggravated criminal sexual assault; (3) predatory criminal sexual assault of a child; (4) criminal sexual abuse; (5) aggravated criminal sexual abuse; (6) a substantially similar offense under the laws of the United States, another state, or foreign jurisdiction; or (7) a predecessor offense to any of these offenses.

LRB100 00332 RLC 14752 b

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 3-8-7.5 as follows:

6 (730 ILCS 5/3-8-7.5)

7 Sec. 3-8-7.5. Mail and photograph possession restrictions.

8 (a) An inmate shall not correspond with a victim or member
9 of a victim's family upon being given notice by the Department
10 that the person has notified the Department that he or she does
11 not wish correspondence from the inmate.

12 (b) The victim or family member of the victim may give
13 notice to the Department of his or her desire not to receive
14 correspondence as provided in this Section and may do so at the
15 time of sentencing or at any time during the period of
16 incarceration of the inmate by the Department. After receipt of
17 the notice, the Department shall not knowingly forward any mail
18 addressed to a victim or family member of a victim named in the
19 notice as not desiring correspondence from a named inmate.

20 (c) At the time of any sentencing which results in the
21 imposition of any term of incarceration with the Department,
22 the State's Attorney shall provide the victim with written
23 notification that the victim or a family member of the victim

1 at any time may notify the Department in writing of the
2 person's desire not to receive correspondence from the inmate
3 convicted of the offense against the victim. The notification
4 provided by the State's Attorney shall inform the victim of the
5 following:

6 (1) that it is the duty of the person desiring not to
7 receive correspondence under this Section to notify the
8 Department of any change of address if the person wants the
9 restriction on mail to apply after a change of address; and

10 (2) that the notice to the Department is to include the
11 name of the person incarcerated, the name and number of the
12 case resulting in the incarceration, and the inmate number,
13 if known.

14 The State's Attorney shall assist the victim in obtaining this
15 information at any time during the incarceration.

16 (d) The Department shall notify the inmate that the victim
17 or members of the victim's family have provided notice to the
18 Department that the persons do not wish correspondence from
19 that inmate during the incarceration.

20 (e) An inmate may not receive nor possess a photograph of a
21 minor under 18 years of age while incarcerated in an
22 institution or facility of the Department if he or she has been
23 convicted of any of the following offenses if the victim of the
24 offense was under 18 years of age at the time of the commission
25 of the offense:

26 (1) criminal sexual assault;

- 1 (2) aggravated criminal sexual assault;
2 (3) predatory criminal sexual assault of a child;
3 (4) criminal sexual abuse;
4 (5) aggravated criminal sexual abuse;
5 (6) a substantially similar offense under the laws of
6 the United States, another state, or foreign jurisdiction;
7 or
8 (7) a predecessor offense to any of the offenses listed
9 in paragraphs (1) through (6) of this subsection (e).

10 (Source: P.A. 88-331.)