

HB4741



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4741

by Rep. Justin Slaughter

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-7-2

from Ch. 38, par. 1003-7-2

Amends the Unified Code of Corrections. Provides that each committed person is entitled to 30 visits per month. Provides that every committed person may submit a list of at least 50 persons to the Department of Corrections that are authorized to visit the committed person. Provides that the list shall be kept in an electronic format by the Department as well as available in paper form for Department employees.

LRB100 18925 SLF 34171 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 3-7-2 as follows:

6 (730 ILCS 5/3-7-2) (from Ch. 38, par. 1003-7-2)
7 Sec. 3-7-2. Facilities.

8 (a) All institutions and facilities of the Department shall
9 provide every committed person with access to toilet
10 facilities, barber facilities, bathing facilities at least
11 once each week, a library of legal materials and published
12 materials including newspapers and magazines approved by the
13 Director. A committed person may not receive any materials that
14 the Director deems pornographic.

15 (b) (Blank).

16 (c) All institutions and facilities of the Department shall
17 provide facilities for every committed person to leave his cell
18 for at least one hour each day unless the chief administrative
19 officer determines that it would be harmful or dangerous to the
20 security or safety of the institution or facility.

21 (d) All institutions and facilities of the Department shall
22 provide every committed person with a wholesome and nutritional
23 diet at regularly scheduled hours, drinking water, clothing

1 adequate for the season, bedding, soap and towels and medical
2 and dental care.

3 (e) All institutions and facilities of the Department shall
4 permit every committed person to send and receive an unlimited
5 number of uncensored letters, provided, however, that the
6 Director may order that mail be inspected and read for reasons
7 of the security, safety or morale of the institution or
8 facility.

9 (f) All of the institutions and facilities of the
10 Department shall permit every committed person to receive
11 in-person visitors and video contact, if available, except in
12 case of abuse of the visiting privilege or when the chief
13 administrative officer determines that such visiting would be
14 harmful or dangerous to the security, safety or morale of the
15 institution or facility. Each committed person is entitled to
16 30 visits per month. Every committed person may submit a list
17 of at least 50 persons to the Department that are authorized to
18 visit the committed person. The list shall be kept in an
19 electronic format by the Department as well as available in
20 paper form for Department employees. The chief administrative
21 officer shall have the right to restrict visitation to
22 non-contact visits, video, or other forms of non-contact visits
23 for reasons of safety, security, and order, including, but not
24 limited to, restricting contact visits for committed persons
25 engaged in gang activity. No committed person in a super
26 maximum security facility or on disciplinary segregation is

1 allowed contact visits. Any committed person found in
2 possession of illegal drugs or who fails a drug test shall not
3 be permitted contact visits for a period of at least 6 months.
4 Any committed person involved in gang activities or found
5 guilty of assault committed against a Department employee shall
6 not be permitted contact visits for a period of at least 6
7 months. The Department shall offer every visitor appropriate
8 written information concerning HIV and AIDS, including
9 information concerning how to contact the Illinois Department
10 of Public Health for counseling information. The Department
11 shall develop the written materials in consultation with the
12 Department of Public Health. The Department shall ensure that
13 all such information and materials are culturally sensitive and
14 reflect cultural diversity as appropriate. Implementation of
15 the changes made to this Section by Public Act 94-629 ~~this~~
16 ~~amendatory Act of the 94th General Assembly~~ is subject to
17 appropriation. The Department shall seek the lowest possible
18 cost to provide video calling and shall charge to the extent of
19 recovering any demonstrated costs of providing video calling.
20 The Department shall not make a commission or profit from video
21 calling services. Nothing in this Section shall be construed to
22 permit video calling instead of in-person visitation.

23 (f-5) (Blank).

24 (f-10) The Department may not restrict or limit in-person
25 visits to committed persons due to the availability of
26 interactive video conferences.

1 (f-15) (1) The Department shall issue a standard written
2 policy for each institution and facility of the Department that
3 provides for:

4 (A) the number of in-person visits each committed
5 person is entitled to per week and per month including the
6 requirements of subsection (f) of this Section;

7 (B) the hours of in-person visits;

8 (C) the type of identification required for visitors at
9 least 18 years of age; and

10 (D) the type of identification, if any, required for
11 visitors under 18 years of age.

12 (2) This policy shall be posted on the Department website
13 and at each facility.

14 (3) The Department shall post on its website daily any
15 restrictions or denials of visitation for that day and the
16 succeeding 5 calendar days, including those based on a lockdown
17 of the facility, to inform family members and other visitors.

18 (g) All institutions and facilities of the Department shall
19 permit religious ministrations and sacraments to be available
20 to every committed person, but attendance at religious services
21 shall not be required.

22 (h) Within 90 days after December 31, 1996, the Department
23 shall prohibit the use of curtains, cell-coverings, or any
24 other matter or object that obstructs or otherwise impairs the
25 line of vision into a committed person's cell.

26 (Source: P.A. 99-933, eff. 1-27-17; 100-30, eff. 1-1-18;

1 100-142, eff. 1-1-18; revised 10-5-17.)