



Sen. Michael E. Hastings

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10000SB3075sam001

LRB100 19643 RLC 36849 a

1 AMENDMENT TO SENATE BILL 3075

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3075 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Children and Family Services Act is amended  
5 by adding Section 41 as follows:

6 (20 ILCS 505/41 new)

7 Sec. 41. Department of Children and Family Services to  
8 submit quarterly reports to the General Assembly.

9 (a) The Department of Children and Family Services shall,  
10 by January 1, April 1, July 1, and October 1 of each year,  
11 transmit to the General Assembly, a report that shall include  
12 the following information reflecting the period ending 15 days  
13 prior to the submission of the report:

14 (1) the number of assaults on or threats against  
15 employees in the line of duty by service region;

16 (2) the number of employee injuries resulting from

1 assaults in the line of duty; and

2 (3) descriptions of the nature of each injury, the  
3 number of injuries requiring medical treatment, and the  
4 number of days off work per injury.

5 (b) The requirements in subsection (a) do not relieve the  
6 Department from the recordkeeping requirements of the  
7 Occupational Safety and Health Act.

8 (c) The Department shall:

9 (1) establish a reasonable procedure for employees to  
10 report work-related assaults and injuries. A procedure is  
11 not reasonable if it would deter or discourage a reasonable  
12 employee from accurately reporting a workplace assault or  
13 injury;

14 (2) inform each employee:

15 (A) of the procedure for reporting work-related  
16 assaults and injuries;

17 (B) of the right to report work-related assaults  
18 and injuries; and

19 (C) that the Department is prohibited from  
20 discharging or in any manner discriminating against  
21 employees for reporting work-related assaults and  
22 injuries; and

23 (3) not discharge, discipline, or in any manner  
24 discriminate against any employee for reporting a  
25 work-related assault or injury.

1           Section 10. The Mental Health and Developmental  
2           Disabilities Administrative Act is amended by changing Section  
3           4 as follows:

4           (20 ILCS 1705/4) (from Ch. 91 1/2, par. 100-4)

5           Sec. 4. Supervision of facilities and services; quarterly  
6           reports.

7           (a) To exercise executive and administrative supervision  
8           over all facilities, divisions, programs and services now  
9           existing or hereafter acquired or created under the  
10          jurisdiction of the Department, including, but not limited to,  
11          the following:

12                 The Alton Mental Health Center, at Alton

13                 The Clyde L. Choate Mental Health and Developmental  
14          Center, at Anna

15                 The Chester Mental Health Center, at Chester

16                 The Chicago-Read Mental Health Center, at Chicago

17                 The Elgin Mental Health Center, at Elgin

18                 The Metropolitan Children and Adolescents Center, at  
19          Chicago

20                 The Jacksonville Developmental Center, at Jacksonville

21                 The Governor Samuel H. Shapiro Developmental Center,  
22          at Kankakee

23                 The Tinley Park Mental Health Center, at Tinley Park

24                 The Warren G. Murray Developmental Center, at  
25          Centralia

1           The Jack Mabley Developmental Center, at Dixon  
2           The Lincoln Developmental Center, at Lincoln  
3           The H. Douglas Singer Mental Health and Developmental  
4 Center, at Rockford  
5           The John J. Madden Mental Health Center, at Chicago  
6           The George A. Zeller Mental Health Center, at Peoria  
7           The Andrew McFarland Mental Health Center, at  
8 Springfield  
9           The Adolf Meyer Mental Health Center, at Decatur  
10          The William W. Fox Developmental Center, at Dwight  
11          The Elisabeth Ludeman Developmental Center, at Park  
12 Forest  
13          The William A. Howe Developmental Center, at Tinley  
14 Park  
15          The Ann M. Kiley Developmental Center, at Waukegan.

16          (b) Beginning not later than July 1, 1977, the Department  
17 shall cause each of the facilities under its jurisdiction which  
18 provide in-patient care to comply with standards, rules and  
19 regulations of the Department of Public Health prescribed under  
20 Section 6.05 of the Hospital Licensing Act.

21          (b-5) The Department shall cause each of the facilities  
22 under its jurisdiction that provide in-patient care to comply  
23 with Section 6.25 of the Hospital Licensing Act.

24          (c) The Department shall issue quarterly reports to the  
25 General Assembly on admissions, deflections, discharges, bed  
26 closures, staff-resident ratios, census, average length of

1 stay, and any adverse federal certification or accreditation  
2 findings, if any, for each State-operated facility for the  
3 mentally ill and for persons with developmental disabilities.  
4 The quarterly reports shall be issued by January 1, April 1,  
5 July 1, and October 1 of each year. The quarterly reports shall  
6 include the following information for each facility reflecting  
7 the period ending 15 days prior to the submission of the  
8 report:

9 (1) the number of employees;

10 (2) the number of workplace violence incidents that  
11 occurred, including the number that were a direct assault  
12 on employees by residents and the number that resulted from  
13 staff intervention in a resident altercation or other form  
14 of injurious behavior;

15 (3) the number of employees impacted in each incident;

16 and

17 (4) the number of employee injuries resulting,  
18 descriptions of the nature of the injuries, the number of  
19 employee injuries requiring medical treatment at the  
20 facility, the number of employee injuries requiring  
21 outside medical treatment, and the number of days off work  
22 per injury.

23 (d) The requirements in subsection (c) do not relieve the  
24 Department from the recordkeeping requirements of the  
25 Occupational Safety and Health Act.

26 (e) The Department shall:

1           (1) establish a reasonable procedure for employees to  
2           report work-related assaults and injuries. A procedure is  
3           not reasonable if it would deter or discourage a reasonable  
4           employee from accurately reporting a workplace assault or  
5           injury;

6           (2) inform each employee:

7           (A) of the procedure for reporting work-related  
8           assaults and injuries;

9           (B) of the right to report work-related assaults  
10           and injuries; and

11           (C) that the Department is prohibited from  
12           discharging or in any manner discriminating against  
13           employees for reporting work-related assaults and  
14           injuries; and

15           (3) not discharge, discipline, or in any manner  
16           discriminate against any employee for reporting a  
17           work-related assault or injury.

18       (Source: P.A. 99-143, eff. 7-27-15.)

19           Section 15. The Unified Code of Corrections is amended by  
20       changing Sections 3-2.5-61 and 3-5-3.1 as follows:

21           (730 ILCS 5/3-2.5-61)

22           Sec. 3-2.5-61. Annual and other reports.

23           (a) The Director shall make an annual report to the  
24       Governor and General Assembly concerning persons committed to

1 the Department, its institutions, facilities, and programs, of  
2 all moneys expended and received, and on what accounts expended  
3 and received no later than January 1 of each year. The report  
4 shall include the ethnic and racial background data, not  
5 identifiable to an individual, of all persons committed to the  
6 Department, its institutions, facilities, programs, and  
7 outcome measures established with the Juvenile Advisory Board.

8 (b) The Department of Juvenile Justice shall, by January 1,  
9 April 1, July 1, and October 1 of each year, transmit to the  
10 Governor and General Assembly, a report which shall include the  
11 following information:

12 (1) the number of youth in each of the Department's  
13 facilities and the number of youth on aftercare;

14 (2) the demographics of sex, age, race and ethnicity,  
15 classification of offense, and geographic location where  
16 the offense occurred;

17 (3) the educational and vocational programs provided  
18 at each facility and the number of residents participating  
19 in each program;

20 (4) the present capacity levels in each facility; ~~and~~

21 (5) the ratio of the security staff to residents in  
22 each facility by federal Prison Rape Elimination Act (PREA)  
23 definitions; ~~and~~

24 (6) the number of reported assaults on staff at each  
25 facility;

26 (7) the number of reported incidents of youth sexual

1 aggression towards staff at each facility including sexual  
2 assault, residents exposing themselves, sexual touching,  
3 and sexually offensive language; and

4 (8) the number of staff injuries resulting from youth  
5 violence at each facility including descriptions of the  
6 nature and location of the injuries, the number of staff  
7 injuries requiring medical treatment at the facility, the  
8 number of staff injuries requiring outside medical  
9 treatment and the number of days off work per injury. For  
10 purposes of this Section, the definition of assault on  
11 staff includes, but is not limited to, kicking, punching,  
12 knocking down, harming or threatening to harm with  
13 improvised weapons, or throwing urine or feces at staff.

14 (c) The requirements in subsection (b) do not relieve the  
15 Department from the recordkeeping requirements of the  
16 Occupational Safety and Health Act.

17 (d) The Department shall:

18 (1) establish a reasonable procedure for employees to  
19 report work-related assaults and injuries. A procedure is  
20 not reasonable if it would deter or discourage a reasonable  
21 employee from accurately reporting a workplace assault or  
22 injury;

23 (2) inform each employee:

24 (A) of the procedure for reporting work-related  
25 assaults and injuries;

26 (B) of the right to report work-related assaults



1           and injuries; and

2                   (C) that the Department is prohibited from  
3           discharging or in any manner discriminating against  
4           employees for reporting work-related assaults and  
5           injuries; and

6                   (3) not discharge, discipline or in any manner  
7           discriminate against any employee for reporting a  
8           work-related assault or injury.

9           (Source: P.A. 99-255, eff. 1-1-16.)

10           (730 ILCS 5/3-5-3.1) (from Ch. 38, par. 1003-5-3.1)

11           Sec. 3-5-3.1. As used in this Section, "facility" includes  
12 any facility of the Department of Corrections.

13           (a) The Department of Corrections shall, by January 1st,  
14 April 1st, July 1st, and October 1st of each year, transmit to  
15 the General Assembly, a report which shall include the  
16 following information reflecting the period ending fifteen  
17 days prior to the submission of the report: (1) the number of  
18 residents in all Department facilities indicating the number of  
19 residents in each listed facility; (2) a classification of each  
20 facility's residents by the nature of the offense for which  
21 each resident was committed to the Department; (3) the number  
22 of residents in maximum, medium, and minimum security  
23 facilities indicating the classification of each facility's  
24 residents by the nature of the offense for which each resident  
25 was committed to the Department; (4) the educational and

1 vocational programs provided at each facility and the number of  
2 residents participating in each such program; (5) the present  
3 design and rated capacity levels in each facility; (6) the  
4 projected design and rated capacity of each facility six months  
5 and one year following each reporting date; (7) the ratio of  
6 the security staff ~~guards~~ to residents in each facility; (8)  
7 the ratio of total employees to residents in each facility; (9)  
8 the number of residents in each facility that are single-celled  
9 and the number in each facility that are double-celled; (10)  
10 information indicating the distribution of residents in each  
11 facility by the allocated floor space per resident; (11) a  
12 status of all capital projects currently funded by the  
13 Department, location of each capital project, the projected  
14 on-line dates for each capital project, including phase-in  
15 dates and full occupancy dates; (12) the projected adult prison  
16 facility populations of the Department for each of the  
17 succeeding twelve months following each reporting date,  
18 indicating all assumptions built into such population  
19 estimates; (13) the projected exits and projected admissions in  
20 each facility for each of the succeeding twelve months  
21 following each reporting date, indicating all assumptions  
22 built into such population estimate; and (14) the locations of  
23 all Department-operated or contractually operated community  
24 correctional centers, including the present design and rated  
25 capacity and population levels at each facility; (15) the  
26 number of reported assaults on employees at each facility; (16)

1 the number of reported incidents of resident sexual aggression  
2 towards employees at each facility including sexual assault,  
3 residents exposing themselves, sexual touching, and sexually  
4 offensive language; and (17) the number of employee injuries  
5 resulting from resident violence at each facility including  
6 descriptions of the nature of the injuries, the number of  
7 injuries requiring medical treatment at the facility, the  
8 number of injuries requiring outside medical treatment and the  
9 number of days off work per injury. For purposes of this  
10 Section, the definition of assault on staff includes, but is  
11 not limited to, kicking, punching, knocking down, harming or  
12 threatening to harm with improvised weapons, or throwing urine  
13 or feces at staff.

14 (b) The requirements in subsection (a) do not relieve the  
15 Department from the recordkeeping requirements of the  
16 Occupational Safety and Health Act.

17 (c) The Department shall:

18 (1) establish a reasonable procedure for employees to  
19 report work-related assaults and injuries. A procedure is  
20 not reasonable if it would deter or discourage a reasonable  
21 employee from accurately reporting a workplace assault or  
22 injury;

23 (2) inform each employee:

24 (A) of the procedure for reporting work-related  
25 assaults and injuries;

26 (B) of the right to report work-related assaults

1           and injuries; and

2           (C) that the Department is prohibited from  
3           discharging or in any manner discriminating against  
4           employees for reporting work-related assaults and  
5           injuries; and

6           (3) not discharge, discipline, or in any manner  
7           discriminate against any employee for reporting a  
8           work-related assault or injury.

9           (Source: P.A. 99-255, eff. 1-1-16.)

10           Section 99. Effective date. This Act takes effect January  
11           1, 2019.".