

HB3704



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3704

by Rep. Justin Slaughter

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-2.5-20

730 ILCS 5/3-6-1

from Ch. 38, par. 1003-6-1

Amends the Unified Code of Corrections. Provides that services provided by the Department of Corrections for transitional and post-release treatment programs for juveniles committed to the Department shall include family engagement, including, but not limited to, visitation and programming. Provides that the Department shall designate those institutions and facilities which shall be maintained for persons assigned as adults (rather than adults and juveniles).

LRB101 09310 SLF 54405 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 Sections 3-2.5-20 and 3-6-1 as follows:

6 (730 ILCS 5/3-2.5-20)

7 Sec. 3-2.5-20. General powers and duties.

8 (a) In addition to the powers, duties, and responsibilities
9 which are otherwise provided by law or transferred to the
10 Department as a result of this Article, the Department, as
11 determined by the Director, shall have, but are not limited to,
12 the following rights, powers, functions and duties:

13 (1) To accept juveniles committed to it by the courts
14 of this State for care, custody, treatment, and
15 rehabilitation.

16 (2) To maintain and administer all State juvenile
17 correctional institutions previously under the control of
18 the Juvenile and Women's & Children Divisions of the
19 Department of Corrections, and to establish and maintain
20 institutions as needed to meet the needs of the youth
21 committed to its care.

22 (3) To identify the need for and recommend the funding
23 and implementation of an appropriate mix of programs and

1 services within the juvenile justice continuum, including
2 but not limited to prevention, nonresidential and
3 residential commitment programs, day treatment, and
4 conditional release programs and services, with the
5 support of educational, vocational, alcohol, drug abuse,
6 and mental health services where appropriate.

7 (3.5) To assist youth committed to the Department of
8 Juvenile Justice under the Juvenile Court Act of 1987 with
9 successful reintegration into society, the Department
10 shall retain custody and control of all adjudicated
11 delinquent juveniles released under Section 3-2.5-85 or
12 3-3-10 of this Code, shall provide a continuum of
13 post-release treatment and services to those youth, and
14 shall supervise those youth during their release period in
15 accordance with the conditions set by the Department or the
16 Prisoner Review Board.

17 (4) To establish and provide transitional and
18 post-release treatment programs for juveniles committed to
19 the Department. Services shall include but are not limited
20 to:

21 (i) family and individual counseling and treatment
22 placement;

23 (ii) referral services to any other State or local
24 agencies;

25 (iii) mental health services;

26 (iv) educational services;

- 1 (v) family counseling services; ~~and~~
2 (vi) substance abuse services; ~~and~~ -
3 (vii) family engagement, including, but not
4 limited to, visitation and programming.

5 (5) To access vital records of juveniles for the
6 purposes of providing necessary documentation for
7 transitional services such as obtaining identification,
8 educational enrollment, employment, and housing.

9 (6) To develop staffing and workload standards and
10 coordinate staff development and training appropriate for
11 juvenile populations.

12 (7) To develop, with the approval of the Office of the
13 Governor and the Governor's Office of Management and
14 Budget, annual budget requests.

15 (8) To administer the Interstate Compact for
16 Juveniles, with respect to all juveniles under its
17 jurisdiction, and to cooperate with the Department of Human
18 Services with regard to all non-offender juveniles subject
19 to the Interstate Compact for Juveniles.

20 (9) To decide the date of release on aftercare for
21 youth committed to the Department under Section 5-750 of
22 the Juvenile Court Act of 1987.

23 (10) To set conditions of aftercare release for all
24 youth committed to the Department under the Juvenile Court
25 Act of 1987.

26 (b) The Department may employ personnel in accordance with

1 the Personnel Code and Section 3-2.5-15 of this Code, provide
2 facilities, contract for goods and services, and adopt rules as
3 necessary to carry out its functions and purposes, all in
4 accordance with applicable State and federal law.

5 (c) On and after the date 6 months after August 16, 2013
6 (the effective date of Public Act 98-488), as provided in the
7 Executive Order 1 (2012) Implementation Act, all of the powers,
8 duties, rights, and responsibilities related to State
9 healthcare purchasing under this Code that were transferred
10 from the Department of Corrections to the Department of
11 Healthcare and Family Services by Executive Order 3 (2005) are
12 transferred back to the Department of Corrections; however,
13 powers, duties, rights, and responsibilities related to State
14 healthcare purchasing under this Code that were exercised by
15 the Department of Corrections before the effective date of
16 Executive Order 3 (2005) but that pertain to individuals
17 resident in facilities operated by the Department of Juvenile
18 Justice are transferred to the Department of Juvenile Justice.
19 (Source: P.A. 98-488, eff. 8-16-13; 98-558, eff. 1-1-14;
20 98-756, eff. 7-16-14; 99-628, eff. 1-1-17.)

21 (730 ILCS 5/3-6-1) (from Ch. 38, par. 1003-6-1)
22 Sec. 3-6-1. Institutions; Facilities; and Programs.

23 (a) The Department shall designate those institutions and
24 facilities which shall be maintained for persons assigned as
25 adults ~~and as juveniles.~~

1 (b) The types, number and population of institutions and
2 facilities shall be determined by the needs of committed
3 persons for treatment and the public for protection. All
4 institutions and programs shall conform to the minimum
5 standards under this Chapter.

6 (Source: P.A. 77-2097.)