



Rep. Robyn Gabel

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10200SB3180ham001

LRB102 23350 RLC 37720 a

1 AMENDMENT TO SENATE BILL 3180

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3180 by replacing  
3 everything after the enacting clause with the following:

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  
9 shall 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  
14 that the Director deems pornographic.

15 (b) (Blank).

16 (c) All institutions and facilities of the Department

1 shall provide facilities for every committed person to leave  
2 his cell for at least one hour each day unless the chief  
3 administrative officer determines that it would be harmful or  
4 dangerous to the security or safety of the institution or  
5 facility.

6 (d) All institutions and facilities of the Department  
7 shall provide every committed person with a wholesome and  
8 nutritional diet at regularly scheduled hours, drinking water,  
9 clothing adequate for the season, bedding, soap and towels and  
10 medical and dental care.

11 (e) All institutions and facilities of the Department  
12 shall permit every committed person to send and receive an  
13 unlimited number of uncensored letters, provided, however,  
14 that the Director may order that mail be inspected and read for  
15 reasons of the security, safety or morale of the institution  
16 or facility.

17 (f) All of the institutions and facilities of the  
18 Department shall permit every committed person to receive  
19 in-person visitors and video contact, if available, except in  
20 case of abuse of the visiting privilege or when the chief  
21 administrative officer determines that such visiting would be  
22 harmful or dangerous to the security, safety or morale of the  
23 institution or facility. Each committed person is entitled to  
24 7 visits per month. Every committed person may submit a list of  
25 at least 30 persons to the Department that are authorized to  
26 visit the committed person. The list shall be kept in an

1 electronic format by the Department beginning on August 1,  
2 2019, as well as available in paper form for Department  
3 employees. The chief administrative officer shall have the  
4 right to restrict visitation to non-contact visits, video, or  
5 other forms of non-contact visits for reasons of safety,  
6 security, and order, including, but not limited to,  
7 restricting contact visits for committed persons engaged in  
8 gang activity. No committed person in a super maximum security  
9 facility or on disciplinary segregation is allowed contact  
10 visits. Any committed person found in possession of illegal  
11 drugs or who fails a drug test shall not be permitted contact  
12 visits for a period of at least 6 months. Any committed person  
13 involved in gang activities or found guilty of assault  
14 committed against a Department employee shall not be permitted  
15 contact visits for a period of at least 6 months. The  
16 Department shall offer every visitor appropriate written  
17 information concerning HIV and AIDS, including information  
18 concerning how to contact the Illinois Department of Public  
19 Health for counseling information. The Department shall  
20 develop the written materials in consultation with the  
21 Department of Public Health. The Department shall ensure that  
22 all such information and materials are culturally sensitive  
23 and reflect cultural diversity as appropriate. Implementation  
24 of the changes made to this Section by Public Act 94-629 is  
25 subject to appropriation. The Department shall seek the lowest  
26 possible cost to provide video calling and shall charge to the

1 extent of recovering any demonstrated costs of providing video  
2 calling. The Department shall not make a commission or profit  
3 from video calling services. Nothing in this Section shall be  
4 construed to permit video calling instead of in-person  
5 visitation.

6 (f-5) (Blank).

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

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

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

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

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

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

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

23 (3) The Department shall post on its website daily any  
24 restrictions or denials of visitation for that day and the  
25 succeeding 5 calendar days, including those based on a  
26 lockdown of the facility, to inform family members and other

1 visitors.

2 (g) All institutions and facilities of the Department  
3 shall permit religious ministrations and sacraments to be  
4 available to every committed person, but attendance at  
5 religious services shall not be required.

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

10 (i) A point of contact person shall promptly and  
11 efficiently review and monitor suggestions, complaints, or  
12 other requests made by visitors to Department institutions or  
13 facilities and by other members of the public. The point of  
14 contact person shall maintain information about parties to and  
15 subject matter of each correspondence and a summary of the  
16 results of the review or investigation, including any  
17 resolution or recommendations made as a result of the  
18 correspondence. The point of contact person shall provide an  
19 annual written report to the General Assembly and the  
20 Governor, with the first report due no later than January 1,  
21 2023. The Department must publish the report on its website  
22 within 48 hours after transmitting the report to the Governor  
23 and the General Assembly. The report shall include a summary  
24 of activities completed in furtherance of the purpose of the  
25 point of contact person's position. The summaries shall  
26 contain the following aggregated and disaggregated data for

1 each Department of Corrections institution and facility and  
2 describe:

3 (1) The point of contact person's work.

4 (2) Issues, complaints, and inquiries reported to the  
5 point of contact person with a summary of the amount of  
6 emails, calls, letters, and other correspondence received,  
7 the general nature of each issue, and any resolutions  
8 reached or recommendations made.

9 (3) Any recommendations that the point of contact has  
10 relating to systemic issues in the Department of  
11 Corrections, and any other matters for consideration by  
12 the General Assembly and the Governor.

13 The name, address, or other personally identifiable  
14 information of a person who files a complaint or inquiry with  
15 the point of contact person, information generated by the  
16 point of contact person related to a complaint or other  
17 activities of the position, and confidential records shall be  
18 redacted from the annual report.

19 (j) At every Department of Corrections visiting waiting  
20 area, a sign containing, at a minimum, the following  
21 information in bold block type must be posted in a conspicuous  
22 place:

23 (1) a short statement notifying visitors of the point  
24 of contact person to receive suggestions, complaints, or  
25 other requests; and

26 (2) information on how to submit suggestions,

1       complaints, or other requests to a point of contact  
2       person.

3       (Source: P.A. 99-933, eff. 1-27-17; 100-30, eff. 1-1-18;  
4       100-142, eff. 1-1-18; 100-677, eff. 1-1-19; 100-863, eff.  
5       8-14-18.)

6       Section 99. Effective date. This Act takes effect upon  
7       becoming law.".