



Rep. Robyn Gabel

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10200SB3180ham002

LRB102 23350 RLC 38399 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 appointed under subsection
11 (u-6) of Section 3-2-2 of this Code shall promptly and
12 efficiently review suggestions, complaints, and other requests
13 made by visitors to institutions and facilities of the
14 Department and by other members of the public. Based on the
15 nature of the submission, the point of contact person shall
16 communicate with the appropriate division of the Department,
17 disseminate the concern or complaint, and act as liaison
18 between the parties to reach a resolution.

19 (1) The point of contact person shall maintain
20 information about the subject matter of each
21 correspondence, including, but not limited to, information
22 about the following subjects:

23 (A) the parties making the submission;

24 (B) any commissary-related concerns;

25 (C) any concerns about the institution or
26 facility's COVID protocols and mitigations;

1 (D) any concerns about mail, video, or electronic
2 messages or other communications with incarcerated
3 persons;

4 (E) any concerns about the institution or
5 facility;

6 (F) any discipline-related concerns;

7 (G) any concerns about earned sentencing credits;

8 (H) any concerns about educational opportunities
9 for incarcerated persons;

10 (I) any concerns about health-related matters;

11 (J) any mental health concerns;

12 (K) any concerns about personal property;

13 (L) any concerns about the records of the
14 incarcerated person;

15 (M) any concerns about recreational opportunities
16 for incarcerated persons;

17 (N) any staffing-related concerns;

18 (O) any concerns about the transfer of individuals
19 in custody;

20 (P) any concerns about visitation; and

21 (Q) any concerns about work opportunities for
22 incarcerated persons.

23 The information shall be maintained in accordance with
24 standards set by the Department of Corrections, and shall
25 be made available to the Department's Planning and
26 Research Division. The point of contact person shall

1 provide a summary of the results of the review, including
2 any resolution or recommendations made as a result of
3 correspondence with the Planning and Research Division of
4 the Department.

5 (2) The Department shall provide an annual written
6 report to the General Assembly and the Governor, with the
7 first report due no later than January 1, 2023, and
8 publish the report on its website within 48 hours after
9 the report is transmitted to the Governor and the General
10 Assembly. The report shall include a summary of activities
11 undertaken and completed as a result of submissions to the
12 point of contact person. The Department of Corrections
13 shall collect and report the following aggregated and
14 disaggregated data for each institution and facility and
15 describe:

16 (A) the work of the point of contact person;

17 (B) the general nature of suggestions, complaints,
18 and other requests submitted to the point of contact
19 person;

20 (C) the volume of emails, calls, letters, and
21 other correspondence received by the point of contact
22 person;

23 (D) the resolutions reached or recommendations
24 made as a result of the point of contact person's
25 review;

26 (E) whether, if an investigation is recommended, a

1 report of the complaint was forwarded to the Chief
2 Inspector of the Department or other Department
3 employee, and the resolution of the complaint, and if
4 the investigation has not concluded, a detailed status
5 report on the complaint; and

6 (F) any recommendations that the point of contact
7 person has relating to systemic issues in the
8 Department of Corrections, and any other matters for
9 consideration by the General Assembly and the
10 Governor.

11 The name, address, or other personally identifiable
12 information of a person who files a complaint, suggestion,
13 or other request with the point of contact person, and
14 confidential records shall be redacted from the annual
15 report and are not subject to disclosure under the Freedom
16 of Information Act. The Department shall disclose the
17 records only if required by a court order on a showing of
18 good cause.

19 (3) The Department must post in a conspicuous place in
20 the waiting area of every facility or institution a sign
21 that contains in bold, black type the following:

22 (A) a short statement notifying visitors of the
23 point of contact person and that person's duty to
24 receive suggestions, complaints, or other requests;
25 and

26 (B) information on how to submit suggestions,

1 complaints, or other requests to the 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."