

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

22 (d) All institutions and facilities of the Department  
23 shall provide every committed person with a wholesome and

1 nutritional diet at regularly scheduled hours, drinking water,  
2 clothing adequate for the season, bedding, soap and towels and  
3 medical and dental care.

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

10 (f) All of the institutions and facilities of the  
11 Department shall permit every committed person to receive  
12 in-person visitors and video contact, if available, except in  
13 case of abuse of the visiting privilege or when the chief  
14 administrative officer determines that such visiting would be  
15 harmful or dangerous to the security, safety or morale of the  
16 institution or facility. Each committed person is entitled to  
17 7 visits per month. Every committed person may submit a list of  
18 at least 30 persons to the Department that are authorized to  
19 visit the committed person. The list shall be kept in an  
20 electronic format by the Department beginning on August 1,  
21 2019, as well as available in paper form for Department  
22 employees. The chief administrative officer shall have the  
23 right to restrict visitation to non-contact visits, video, or  
24 other forms of non-contact visits for reasons of safety,  
25 security, and order, including, but not limited to,  
26 restricting contact visits for committed persons engaged in

1 gang activity. No committed person in a super maximum security  
2 facility or on disciplinary segregation is allowed contact  
3 visits. Any committed person found in possession of illegal  
4 drugs or who fails a drug test shall not be permitted contact  
5 visits for a period of at least 6 months. Any committed person  
6 involved in gang activities or found guilty of assault  
7 committed against a Department employee shall not be permitted  
8 contact visits for a period of at least 6 months. The  
9 Department shall offer every visitor appropriate written  
10 information concerning HIV and AIDS, including information  
11 concerning how to contact the Illinois Department of Public  
12 Health for counseling information. The Department shall  
13 develop the written materials in consultation with the  
14 Department of Public Health. The Department shall ensure that  
15 all such information and materials are culturally sensitive  
16 and reflect cultural diversity as appropriate. Implementation  
17 of the changes made to this Section by Public Act 94-629 is  
18 subject to appropriation. The Department shall seek the lowest  
19 possible cost to provide video calling and shall charge to the  
20 extent of recovering any demonstrated costs of providing video  
21 calling. The Department shall not make a commission or profit  
22 from video calling services. Nothing in this Section shall be  
23 construed to permit video calling instead of in-person  
24 visitation.

25 (f-5) (Blank).

26 (f-10) The Department may not restrict or limit in-person

1 visits to committed persons due to the availability of  
2 interactive video conferences.

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

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

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

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

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

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

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

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

25 (h) Within 90 days after December 31, 1996, the Department  
26 shall prohibit the use of curtains, cell-coverings, or any

1 other matter or object that obstructs or otherwise impairs the  
2 line of vision into a committed person's cell.

3 (i) A point of contact person appointed under subsection  
4 (u-6) of Section 3-2-2 of this Code shall promptly and  
5 efficiently review suggestions, complaints, and other requests  
6 made by visitors to institutions and facilities of the  
7 Department and by other members of the public. Based on the  
8 nature of the submission, the point of contact person shall  
9 communicate with the appropriate division of the Department,  
10 disseminate the concern or complaint, and act as liaison  
11 between the parties to reach a resolution.

12 (1) The point of contact person shall maintain  
13 information about the subject matter of each  
14 correspondence, including, but not limited to, information  
15 about the following subjects:

16 (A) the parties making the submission;

17 (B) any commissary-related concerns;

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

20 (D) any concerns about mail, video, or electronic  
21 messages or other communications with incarcerated  
22 persons;

23 (E) any concerns about the institution or  
24 facility;

25 (F) any discipline-related concerns;

26 (G) any concerns about earned sentencing credits;

1           (H) any concerns about educational opportunities  
2           for incarcerated persons;

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

4           (J) any mental health concerns;

5           (K) any concerns about personal property;

6           (L) any concerns about the records of the  
7           incarcerated person;

8           (M) any concerns about recreational opportunities  
9           for incarcerated persons;

10          (N) any staffing-related concerns;

11          (O) any concerns about the transfer of individuals  
12          in custody;

13          (P) any concerns about visitation; and

14          (Q) any concerns about work opportunities for  
15          incarcerated persons.

16          The information shall be maintained in accordance with  
17          standards set by the Department of Corrections, and shall  
18          be made available to the Department's Planning and  
19          Research Division. The point of contact person shall  
20          provide a summary of the results of the review, including  
21          any resolution or recommendations made as a result of  
22          correspondence with the Planning and Research Division of  
23          the Department.

24          (2) The Department shall provide an annual written  
25          report to the General Assembly and the Governor, with the  
26          first report due no later than January 1, 2023, and

1 publish the report on its website within 48 hours after  
2 the report is transmitted to the Governor and the General  
3 Assembly. The report shall include a summary of activities  
4 undertaken and completed as a result of submissions to the  
5 point of contact person. The Department of Corrections  
6 shall collect and report the following aggregated and  
7 disaggregated data for each institution and facility and  
8 describe:

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

10 (B) the general nature of suggestions, complaints,  
11 and other requests submitted to the point of contact  
12 person;

13 (C) the volume of emails, calls, letters, and  
14 other correspondence received by the point of contact  
15 person;

16 (D) the resolutions reached or recommendations  
17 made as a result of the point of contact person's  
18 review;

19 (E) whether, if an investigation is recommended, a  
20 report of the complaint was forwarded to the Chief  
21 Inspector of the Department or other Department  
22 employee, and the resolution of the complaint, and if  
23 the investigation has not concluded, a detailed status  
24 report on the complaint; and

25 (F) any recommendations that the point of contact  
26 person has relating to systemic issues in the

1 Department of Corrections, and any other matters for  
2 consideration by the General Assembly and the  
3 Governor.

4 The name, address, or other personally identifiable  
5 information of a person who files a complaint, suggestion,  
6 or other request with the point of contact person, and  
7 confidential records shall be redacted from the annual  
8 report and are not subject to disclosure under the Freedom  
9 of Information Act. The Department shall disclose the  
10 records only if required by a court order on a showing of  
11 good cause.

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

15 (A) a short statement notifying visitors of the  
16 point of contact person and that person's duty to  
17 receive suggestions, complaints, or other requests;  
18 and

19 (B) information on how to submit suggestions,  
20 complaints, or other requests to the point of contact  
21 person.

22 (Source: P.A. 99-933, eff. 1-27-17; 100-30, eff. 1-1-18;  
23 100-142, eff. 1-1-18; 100-677, eff. 1-1-19; 100-863, eff.  
24 8-14-18.)

25 Section 99. Effective date. This Act takes effect upon  
26 becoming law.