



Rep. La Shawn K. Ford

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10300HB0046ham002

LRB103 03529 RLC 58691 a

1 AMENDMENT TO HOUSE BILL 46

2 AMENDMENT NO. _____. Amend House Bill 46 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Unified Code of Corrections is amended by
5 adding Section 3-7-9 as follows:

6 (730 ILCS 5/3-7-9 new)

7 Sec. 3-7-9. Restrictive housing.

8 (a) The Department of Corrections shall establish rules
9 and regulations that shall provide, among other matters, for
10 the restrictive housing of committed persons under the
11 following conditions:

12 (1) the placement of a committed person in restrictive
13 housing shall be limited to circumstances that pose a
14 direct threat to the safety of persons or a clear threat to
15 the safe and secure operations of the facility;

16 (2) any removal of a committed person from general

1 population and placement into restrictive housing shall be
2 reviewed within 24 hours of placement by an appropriate
3 and higher authority who was not involved in the initial
4 restrictive housing placement;

5 (3) restrictive housing cells shall permit committed
6 persons assigned to them to converse with and be observed
7 by Department staff;

8 (4) restrictive housing units shall have either
9 outdoor uncovered or outdoor covered exercise areas;

10 (5) a review of the status of each committed person in
11 restrictive housing shall be conducted by a review
12 committee or other authorized Department staff every 7
13 days for the first 60 days and at least every 30 days
14 thereafter;

15 (6) a mental health practitioner or provider shall
16 complete a mental health appraisal within 7 days of
17 placement in restrictive housing;

18 (7) a restrictive housing committed person shall be
19 personally observed by a correctional officer twice per
20 hour, but no more than 40 minutes apart, on an irregular
21 schedule;

22 (8) committed persons in restrictive housing shall
23 receive daily visits from the senior correctional
24 supervisor in charge, daily health care rounds from a
25 qualified health care professional, unless medical
26 attention is needed more frequently, and visits from

1 members of the program staff at least weekly;

2 (9) all committed persons in restrictive housing shall
3 be provided medication as prescribed;

4 (10) all committed persons in restrictive housing
5 shall be provided suitable clothing, and access to basic
6 personal items for use in their cells unless there is
7 imminent danger that a committed person or any other
8 committed person or committed persons will destroy an item
9 or induce self-injury;

10 (11) committed persons in restrictive housing shall
11 receive laundry and hair care services and shall be issued
12 and shall exchange clothing, bedding, and linen on the
13 same basis as committed persons in the general population;

14 (12) committed persons in restrictive housing may
15 write and receive letters on the same basis as committed
16 persons in the general population;

17 (13) committed persons in restrictive housing shall
18 have opportunities for visitation unless there are
19 substantial documented reasons for withholding such
20 privileges;

21 (14) committed persons in restrictive housing shall
22 have access to legal materials;

23 (15) committed persons in restrictive housing shall
24 have access to reading materials;

25 (16) committed persons in restrictive housing shall
26 receive a minimum of one hour of exercise outside their

1 cells, 5 days per week, unless security or safety
2 considerations dictate otherwise;

3 (17) committed persons in restrictive housing shall be
4 allowed at minimum telephone privileges to access the
5 judicial process and family emergencies as determined by
6 the facility administrator or designee unless security or
7 safety considerations dictate otherwise;

8 (18) upon assignment to restrictive housing committed
9 persons shall receive written orientation materials or
10 translations in their own language, or both, and when a
11 literacy problem exists a Department staff member shall
12 assist the committed person in understanding the material
13 with completion of orientation documented by a statement
14 signed and dated by the committed person;

15 (19) when a committed person is transferred to
16 restrictive housing, health care personnel shall be
17 informed immediately and shall provide a screening and
18 review as indicated by the protocols established by the
19 health care authority; and

20 (20) committed persons in restrictive housing who are
21 lactating shall have access to breast pumps.

22 (b) The Department of Corrections shall establish a
23 multidisciplinary review program to facilitate the
24 reintegration of the committed person into general population
25 or the community from extended restrictive housing."