



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4829

Introduced 2/7/2024, by Rep. Kevin John Olickal

SYNOPSIS AS INTRODUCED:

New Act

Creates the Independent Corrections Oversight Committee Act. Creates the Independent Corrections Oversight Committee. Provides for membership of the Committee. Provides that the Committee shall be separate and independent from the Department of Corrections and shall not be staffed or operated by corrections officials from the Department of Corrections or the Department of Juvenile Justice. Establishes duties of the Committee. Provides that the Committee shall appoint a Director as head of the Committee. Provides that the Director may be removed only for cause. Provides that each member of the Committee shall serve 3-year terms. Provides that the Committee shall choose a Director who may only be removed from office for cause. Provides that the Committee shall appoint the Independent Corrections Ombudsperson. Provides that the Committee shall hold regular public hearings to present, review, and discuss data, reports, and findings. Provides that the Committee may issue findings, and recommendations, including policy and legislative proposals. Provides that the members of the Committee and the Director of the Committee may: (1) access and inspect correctional institutions upon demand; (2) enter any part of any correctional facility, at any time, without notice, to conduct inspections, respond to or investigate complaints, and monitor facility conditions and the quality of services provided to committed persons; (3) obtain documents and data upon demand, including documents or data from the Department of Corrections, for which the Department of Corrections must respond to such requests promptly and fully; and (4) speak with committed persons or staff confidentially and have unmonitored conversations with committed persons or staff in a safe environment. Effective immediately.

LRB103 38376 RLC 68511 b

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 1. Short title. This Act may be cited as the
5 Independent Corrections Oversight Committee Act.

6 Section 5. Purpose. The General Assembly finds that:

7 (1) There is a need for increased transparency and
8 accountability in the State corrections system.

9 (2) Correctional institutions should be safer and more
10 productive for committed persons and for persons employed who
11 work in correctional institutions.

12 (3) Correctional institutions should be more accountable
13 and transparent to taxpayers.

14 (4) Creation of an Independent Corrections Oversight
15 Committee will accomplish this legislative purpose.

16 Section 10. Independent Corrections Oversight Committee.

17 (a) The Independent Corrections Oversight Committee is
18 created.

19 (b) The members of the Independent Corrections Oversight
20 Committee shall be appointed within 180 days after the
21 effective date of this Act. The Committee shall be composed of
22 10 members as follows:

1 (1) four members of the General Assembly, one member
2 appointed by the Speaker of the House of Representatives,
3 one member appointed by the Minority Leader of the House
4 of Representatives, one member appointed by the President
5 of the Senate, and one member appointed by the Minority
6 Leader of the Senate;

7 (2) one physician licensed to practice medicine in all
8 its branches under the Medical Practice Act of 1987;

9 (3) one clinical psychologist or psychiatrist licensed
10 in this State;

11 (4) one representative of prisoner advocacy and
12 reentry groups;

13 (5) one person who was formerly incarcerated at a
14 female correctional facility in Illinois;

15 (6) one person who was formerly incarcerated at a male
16 correctional facility in Illinois; and

17 (7) one person who was formerly incarcerated for at
18 least 10 years in an Illinois correctional facility.

19 (c) The members of the Committee described in paragraphs
20 (2) through (7) of subsection (b) shall be appointed by the
21 Governor with the advice and consent of the Senate.

22 (d) Each member of the Committee shall serve a 3-year
23 term.

24 (e) The Committee shall appoint the Independent
25 Corrections Ombudsperson who shall have the duties prescribed
26 in the Department of Corrections Independent Ombudsperson Law

1 and shall appoint a Director who shall be the executive
2 officer of the Committee and shall convene the Committee and
3 preside over meetings of the Committee. The Director of the
4 Committee shall serve a 3-year term and may only be removed
5 from office for cause.

6 (f) Six members of the Committee constitute a quorum to do
7 business and the vote of 6 members of the Committee is
8 necessary for a decision of the Committee. The Committee may
9 meet either in person or remotely as determined by the
10 Director. The Committee shall appoint a secretary and such
11 other officers as the Committee deems appropriate.

12 (g) The members of the Committee shall receive no
13 compensation as members of the Committee but may be reimbursed
14 for their expenses of serving on the Committee from
15 appropriations made to them by the General Assembly for that
16 purpose.

17 (h) The Committee shall hold regular public hearings to
18 present, review, and discuss data, reports, and findings.

19 (i) The Committee may issue findings, and recommendations,
20 including policy and legislative proposals.

21 (j) The Committee shall be separate and independent from
22 the Department of Corrections and shall not be staffed or
23 operated by corrections officials.

24 (k) The Committee shall appoint a Director as head of the
25 Committee. The Director may be removed only for cause.

26 (l) The members of the Committee and the Director of the

1 Committee may:

2 (1) access and inspect correctional institutions upon
3 demand;

4 (2) enter any part of any correctional facility, at
5 any time, without notice, to conduct inspections, respond
6 to or investigate complaints, and monitor facility
7 conditions and the quality of services provided to
8 committed persons;

9 (3) obtain documents and data upon demand, including
10 documents or data from the Department of Corrections, for
11 which the Department of Corrections must respond to such
12 requests promptly and fully; and

13 (4) speak with committed persons or staff
14 confidentially and have unmonitored conversations with
15 committed persons or staff in a safe environment.

16 (m) The Department of Corrections and its staff shall not
17 retaliate against staff or committed persons who report to,
18 speak with, or cooperate with the Committee. corrections staff
19 who report wrongdoing shall receive whistleblower status
20 protections.

21 (n) The Committee shall be responsive to committed persons
22 and their families.

23 (o) The Committee may investigate any unresolved
24 complaints from committed persons or their families if the
25 Department of Corrections fails to do so after all
26 administrative remedies have been exhausted and, if possible,

1 help resolve the complaint if it was improperly handled.

2 (p) The Committee shall be responsive to policymakers and
3 the public.

4 (q) The Committee must provide feedback to the General
5 Assembly and the Governor upon request and shall publish an
6 annual report with advisory recommendations and a summary of
7 any complaints received and resolved.

8 (r) The Department of Corrections shall respond publicly
9 to the report and explain how it will take action on any
10 recommendations.

11 (s) The Committee shall be funded separately from the
12 Department of Corrections.

13 (t) The Committee has plenary authority to spend funds
14 from its own budget, and be provided funding to hire and train
15 staff to fulfill its duties.

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.