



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/09/04, by Monique D. Davis

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-7-2

from Ch. 38, par. 1003-7-2

Amends the Unified Code of Corrections. Prohibits the Department of Corrections or a correctional facility of the Department of Corrections from including condoms as prison contraband.

LRB093 18501 RLC 44218 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 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 shall
9 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 that
14 the Director deems pornographic.

15 (b) (Blank).

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

21 (d) All institutions and facilities of the Department shall
22 provide every committed person with a wholesome and nutritional
23 diet at regularly scheduled hours, drinking water, clothing
24 adequate for the season, bedding, soap and towels and medical
25 and dental care.

26 (e) All institutions and facilities of the Department shall
27 permit every committed person to send and receive an unlimited
28 number of uncensored letters, provided, however, that the
29 Director may order that mail be inspected and read for reasons
30 of the security, safety or morale of the institution or
31 facility.

32 (f) All of the institutions and facilities of the

1 Department shall permit every committed person to receive
2 visitors, except in case of abuse of the visiting privilege or
3 when the chief administrative officer determines that such
4 visiting would be harmful or dangerous to the security, safety
5 or morale of the institution or facility. The chief
6 administrative officer shall have the right to restrict
7 visitation to non-contact visits for reasons of safety,
8 security, and order, including, but not limited to, restricting
9 contact visits for committed persons engaged in gang activity.
10 No committed person in a super maximum security facility or on
11 disciplinary segregation is allowed contact visits. Any
12 committed person found in possession of illegal drugs or who
13 fails a drug test shall not be permitted contact visits for a
14 period of at least 6 months. Any committed person involved in
15 gang activities or found guilty of assault committed against a
16 Department employee shall not be permitted contact visits for a
17 period of at least 6 months.

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

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

26 (i) All institutions and facilities of the Department shall
27 permit a committed person to purchase, possess, and use
28 condoms. A committed person may not be denied any privileges or
29 good conduct credit because of the committed person's purchase,
30 possession, or use of condoms. Neither the Department nor an
31 institution or facility of the Department may declare condoms
32 as contraband.

33 (Source: P.A. 90-14, eff. 7-1-97; 91-912, eff. 7-7-00.)