

**HB3836**



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**HB3836**

Introduced 2/25/2005, by Rep. Brent Hassert

**SYNOPSIS AS INTRODUCED:**

730 ILCS 5/3-2-5

from Ch. 38, par. 1003-2-5

Amends the Unified Code of Corrections. Makes a technical change in a Section concerning the organization of the Department of Corrections.

LRB094 05425 RLC 35470 b

**A BILL FOR**

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 3-2-5 as follows:

6 (730 ILCS 5/3-2-5) (from Ch. 38, par. 1003-2-5)

7 Sec. 3-2-5. Organization of the Department.

8 (a) There shall be an Adult Division within the ~~the~~  
9 Department which shall be administered by an Assistant Director  
10 appointed by the Governor under The Civil Administrative Code  
11 of Illinois. The Assistant Director shall be under the  
12 direction of the Director. The Adult Division shall be  
13 responsible for all persons committed or transferred to the  
14 Department under Sections 3-10-7 or 5-8-6 of this Code.

15 (b) There shall be a Juvenile Division within the  
16 Department which shall be administered by an Assistant Director  
17 appointed by the Governor under The Civil Administrative Code  
18 of Illinois. The Assistant Director shall be under the  
19 direction of the Director. The Juvenile Division shall be  
20 responsible for all persons committed to the Juvenile Division  
21 of the Department under Section 5-8-6 of this Code or Section  
22 5-10 of the Juvenile Court Act or Section 5-750 of the Juvenile  
23 Court Act of 1987.

24 (c) The Department shall create a gang intelligence unit  
25 under the supervision of the Director. The unit shall be  
26 specifically designed to gather information regarding the  
27 inmate gang population, monitor the activities of gangs, and  
28 prevent the furtherance of gang activities through the  
29 development and implementation of policies aimed at deterring  
30 gang activity. The Director shall appoint a Corrections  
31 Intelligence Coordinator.

32 All information collected and maintained by the unit shall

1 be highly confidential, and access to that information shall be  
2 restricted by the Department. The information shall be used to  
3 control and limit the activities of gangs within correctional  
4 institutions under the jurisdiction of the Illinois Department  
5 of Corrections and may be shared with other law enforcement  
6 agencies in order to curb gang activities outside of  
7 correctional institutions under the jurisdiction of the  
8 Department and to assist in the investigations and prosecutions  
9 of gang activity. The Department shall establish and promulgate  
10 rules governing the release of information to outside law  
11 enforcement agencies. Due to the highly sensitive nature of the  
12 information, the information is exempt from requests for  
13 disclosure under the Freedom of Information Act as the  
14 information contained is highly confidential and may be harmful  
15 if disclosed.

16 The Department shall file an annual report with the General  
17 Assembly on the profile of the inmate population associated  
18 with gangs, gang-related activity within correctional  
19 institutions under the jurisdiction of the Department, and an  
20 overall status of the unit as it relates to its function and  
21 performance.

22 (Source: P.A. 90-590, eff. 1-1-99; 91-912, eff. 7-7-00.)