

# SB1417



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

SB1417

Introduced 2/9/2007, by Sen. William R. Haine

#### SYNOPSIS AS INTRODUCED:

725 ILCS 5/100-1  
730 ILCS 5/3-2-5

from Ch. 38, par. 100-1  
from Ch. 38, par. 1003-2-5

Amends the Code of Criminal Procedure of 1963. Makes a technical change in a Section concerning the short title. Amends the Unified Code of Corrections. Makes a technical change in a Section concerning the organization of the Department of Corrections.

LRB095 11038 RLC 31358 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 Code of Criminal Procedure of 1963 is  
5 amended by changing Section 100-1 as follows:

6 (725 ILCS 5/100-1) (from Ch. 38, par. 100-1)

7 Sec. 100-1. Short title.

8 This Act shall be known and ~~and~~ may be cited as the "Code  
9 of Criminal Procedure of 1963".

10 (Source: Laws 1963, p. 2836.)

11 Section 10. The Unified Code of Corrections is amended by  
12 changing Section 3-2-5 as follows:

13 (730 ILCS 5/3-2-5) (from Ch. 38, par. 1003-2-5)

14 Sec. 3-2-5. Organization of the Department of Corrections  
15 and the Department of Juvenile Justice.

16 (a) There shall be an Adult Division within the ~~the~~  
17 Department which shall be administered by an Assistant Director  
18 appointed by the Governor under The Civil Administrative Code  
19 of Illinois. The Assistant Director shall be under the  
20 direction of the Director. The Adult Division shall be  
21 responsible for all persons committed or transferred to the

1 Department under Sections 3-10-7 or 5-8-6 of this Code.

2 (b) There shall be a Department of Juvenile Justice which  
3 shall be administered by a Director appointed by the Governor  
4 under the Civil Administrative Code of Illinois. The Department  
5 of Juvenile Justice shall be responsible for all persons under  
6 17 years of age when sentenced to imprisonment and committed to  
7 the Department under subsection (c) of Section 5-8-6 of this  
8 Code, Section 5-10 of the Juvenile Court Act, or Section 5-750  
9 of the Juvenile Court Act of 1987. Persons under 17 years of  
10 age committed to the Department of Juvenile Justice pursuant to  
11 this Code shall be sight and sound separate from adult  
12 offenders committed to the Department of Corrections.

13 (c) The Department shall create a gang intelligence unit  
14 under the supervision of the Director. The unit shall be  
15 specifically designed to gather information regarding the  
16 inmate gang population, monitor the activities of gangs, and  
17 prevent the furtherance of gang activities through the  
18 development and implementation of policies aimed at deterring  
19 gang activity. The Director shall appoint a Corrections  
20 Intelligence Coordinator.

21 All information collected and maintained by the unit shall  
22 be highly confidential, and access to that information shall be  
23 restricted by the Department. The information shall be used to  
24 control and limit the activities of gangs within correctional  
25 institutions under the jurisdiction of the Illinois Department  
26 of Corrections and may be shared with other law enforcement

1 agencies in order to curb gang activities outside of  
2 correctional institutions under the jurisdiction of the  
3 Department and to assist in the investigations and prosecutions  
4 of gang activity. The Department shall establish and promulgate  
5 rules governing the release of information to outside law  
6 enforcement agencies. Due to the highly sensitive nature of the  
7 information, the information is exempt from requests for  
8 disclosure under the Freedom of Information Act as the  
9 information contained is highly confidential and may be harmful  
10 if disclosed.

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

17 (Source: P.A. 94-696, eff. 6-1-06.)