



Rep. Jim Sacia

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1 AMENDMENT TO SENATE BILL 2151

2 AMENDMENT NO. _____. Amend Senate Bill 2151 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Children and Family Services Act is amended
5 by changing Section 17a-5 as follows:

6 (20 ILCS 505/17a-5) (from Ch. 23, par. 5017a-5)

7 Sec. 17a-5. The Department of Human Services shall be
8 successor to the Department of Children and Family Services in
9 the latter Department's capacity as successor to the Illinois
10 Law Enforcement Commission in the functions of that Commission
11 relating to juvenile justice and the federal Juvenile Justice
12 and Delinquency Prevention Act of 1974 as amended, and shall
13 have the powers, duties and functions specified in this Section
14 relating to juvenile justice and the federal Juvenile Justice
15 and Delinquency Prevention Act of 1974, as amended.

16 (1) Definitions. As used in this Section:

1 (a) "juvenile justice system" means all activities by
2 public or private agencies or persons pertaining to the
3 handling of youth involved or having contact with the
4 police, courts or corrections;

5 (b) "unit of general local government" means any
6 county, municipality or other general purpose political
7 subdivision of this State;

8 (c) "Commission" means the Illinois Juvenile Justice
9 Commission provided for in Section 17a-9 of this Act.

10 (2) Powers and Duties of Department. The Department of
11 Human Services shall serve as the official State Planning
12 Agency for juvenile justice for the State of Illinois and in
13 that capacity is authorized and empowered to discharge any and
14 all responsibilities imposed on such bodies by the federal
15 Juvenile Justice and Delinquency Prevention Act of 1974, as
16 amended, specifically the deinstitutionalization of status
17 offenders, separation of juveniles and adults in municipal and
18 county jails, removal of juveniles from county and municipal
19 jails and monitoring of compliance with these mandates. In
20 furtherance thereof, the Department has the powers and duties
21 set forth in paragraphs 3 through 15 of this Section:

22 (3) To develop annual comprehensive plans based on analysis
23 of juvenile crime problems and juvenile justice and delinquency
24 prevention needs in the State, for the improvement of juvenile
25 justice throughout the State, such plans to be in accordance
26 with the federal Juvenile Justice and Delinquency Prevention

1 Act of 1974, as amended;

2 (4) To define, develop and correlate programs and projects
3 relating to administration of juvenile justice for the State
4 and units of general local government within the State or for
5 combinations of such units for improvement in law enforcement;

6 (5) To advise, assist and make recommendations to the
7 Governor as to how to achieve a more efficient and effective
8 juvenile justice system;

9 (5.1) To develop recommendations to ensure the effective
10 reintegration of youth offenders into communities to which they
11 are returning. The Illinois Juvenile Justice Commission,
12 utilizing available information provided by the Department of
13 Juvenile Justice, the Prisoner Review Board, the Illinois
14 Criminal Justice Information Authority, and any other relevant
15 State agency, shall develop by September 30, 2010, a report on
16 juveniles who have been the subject of a parole revocation
17 within the past year in Illinois. The report shall provide
18 information on the number of youth confined in the Department
19 of Juvenile Justice for revocation based on a technical parole
20 violation, the length of time the youth spent on parole prior
21 to the revocation, the nature of the committing offense that
22 served as the basis for the original commitment, demographic
23 information including age, race, sex, and zip code of the
24 underlying offense and the conduct leading to revocation. In
25 addition, the Juvenile Justice Commission shall develop
26 recommendations to:

1 (A) recommend the development of a tracking system to
2 provide quarterly statewide reports on youth released from
3 the Illinois Department of Juvenile Justice including
4 lengths of stay in the Illinois Department of Juvenile
5 Justice prior to release, length of monitoring
6 post-release, pre-release services provided to each youth,
7 violations of release conditions including length of
8 release prior to violation, nature of violation, and
9 intermediate sanctions offered prior to violation;

10 (B) recommend outcome measures of educational
11 attainment, employment, homelessness, recidivism, and
12 other appropriate measures that can be used to assess the
13 performance of the State of Illinois in operating youth
14 offender reentry programs;

15 (C) recommend due process protections for youth during
16 release decision-making processes including, but not
17 limited to, parole revocation proceedings and release on
18 parole.

19 The Commission shall study and make recommendations to the
20 Governor and General Assembly to ensure the effective treatment
21 and supervision of the specialized population of juvenile
22 offenders who are adjudicated delinquent for a sex offense. The
23 Illinois Juvenile Justice Commission shall utilize available
24 information and research on best practices within the state and
25 across the nation including, but not limited to research and
26 recommendations from the U.S. Department of Justice. Among

1 other relevant options, the Commission shall: consider
2 requiring specially trained probation, parole or aftercare
3 officers to supervise juveniles adjudicated as sex offenders;
4 explore the development of individualized probation or parole
5 orders which would include, but is not limited to, supervision
6 and treatment options for juveniles adjudicated as sex
7 offenders; and consider the appropriateness and feasibility of
8 restricting juveniles adjudicated as sex offenders from
9 certain locations including schools and parks.

10 The Juvenile Justice Commission shall include information
11 and recommendations on the effectiveness of the State's
12 juvenile reentry programming, including progress on the
13 recommendations in subparagraphs (A) and (B) of this paragraph
14 (5.1), in its annual submission of recommendations to the
15 Governor and the General Assembly on matters relative to its
16 function, and in its annual juvenile justice plan. This
17 paragraph (5.1) may be cited as the Youth Reentry Improvement
18 Law of 2009;

19 (6) To act as a central repository for federal, State,
20 regional and local research studies, plans, projects, and
21 proposals relating to the improvement of the juvenile justice
22 system;

23 (7) To act as a clearing house for information relating to
24 all aspects of juvenile justice system improvement;

25 (8) To undertake research studies to aid in accomplishing
26 its purposes;

1 (9) To establish priorities for the expenditure of funds
2 made available by the United States for the improvement of the
3 juvenile justice system throughout the State;

4 (10) To apply for, receive, allocate, disburse, and account
5 for grants of funds made available by the United States
6 pursuant to the federal Juvenile Justice and Delinquency
7 Prevention Act of 1974, as amended; and such other similar
8 legislation as may be enacted from time to time in order to
9 plan, establish, operate, coordinate, and evaluate projects
10 directly or through grants and contracts with public and
11 private agencies for the development of more effective
12 education, training, research, prevention, diversion,
13 treatment and rehabilitation programs in the area of juvenile
14 delinquency and programs to improve the juvenile justice
15 system;

16 (11) To insure that no more than the maximum percentage of
17 the total annual State allotment of juvenile justice funds be
18 utilized for the administration of such funds;

19 (12) To provide at least 66-2/3 per centum of funds
20 received by the State under the Juvenile Justice and
21 Delinquency Prevention Act of 1974, as amended, are expended
22 through:

23 (a) programs of units of general local government or
24 combinations thereof, to the extent such programs are
25 consistent with the State plan; and

26 (b) programs of local private agencies, to the extent

1 such programs are consistent with the State plan;

2 (13) To enter into agreements with the United States
3 government which may be required as a condition of obtaining
4 federal funds;

5 (14) To enter into contracts and cooperate with units of
6 general local government or combinations of such units, State
7 agencies, and private organizations of all types, for the
8 purpose of carrying out the duties of the Department imposed by
9 this Section or by federal law or regulations;

10 (15) To exercise all other powers that are reasonable and
11 necessary to fulfill its functions under applicable federal law
12 or to further the purposes of this Section.

13 (Source: P.A. 96-853, eff. 12-23-09; 96-1271, eff. 1-1-11.)".