

1 AN ACT in relation to criminal law.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Counties Code is amended by changing  
5 Section 3-15003 as follows:

6 (55 ILCS 5/3-15003) (from Ch. 34, par. 3-15003)

7 Sec. 3-15003. Powers and duties. Under the direction of  
8 the Sheriff the Department shall have the powers and duties  
9 enumerated as follows:

10 (a) To operate and have jurisdiction over the county  
11 jail, municipal houses of correction within the county and  
12 any other penal, corrections or prisoner diagnostic center  
13 facility operated by either the county jail or municipal  
14 houses of correction.

15 (b) To have charge of all prisoners held in any  
16 institution, center or other facility in the county over  
17 which it has jurisdiction under subsection (a) of this  
18 Section, whether they are misdemeanants, felons, persons held  
19 for trial, persons held in protective custody, persons held  
20 for transfer to other detention facilities or persons held  
21 for non-payment of fines, for violations of ordinances or any  
22 other quasi-criminal charges. Nothing in this Division  
23 applies to minors subject to proceedings under the Juvenile  
24 Court Act of 1987. It may transfer or recommit any prisoner  
25 from one institution, center or other such facility to any  
26 other institution, center or other facility whenever it  
27 determines that such transfer or recommitment would promote  
28 the welfare or rehabilitation of the prisoner, or that such  
29 transfer or recommitment is necessary to relieve  
30 overcrowding.

31 (c) To establish diagnostic, classification and

1 rehabilitation services and programs at the county jail and  
2 such other facilities over which it has jurisdiction under  
3 subsection (a) of this Section as may be appropriate.

4 (d) To establish, whenever feasible, separate detention  
5 and commitment facilities and utilize the facilities over  
6 which it has jurisdiction under subsection (a) of this  
7 Section in a manner which provides separate detention and  
8 commitment facilities.

9 (e) To require every prisoner in the Department's charge  
10 to be photographed for identification purposes each year and  
11 at other times when the Department deems that the prisoner's  
12 appearance has dramatically changed.

13 (Source: P.A. 86-962.)

14 Section 10. The Unified Code of Corrections is amended  
15 by changing Section 3-5-1 as follows:

16 (730 ILCS 5/3-5-1) (from Ch. 38, par. 1003-5-1)  
17 Sec. 3-5-1. Master Record File.

18 (a) The Department shall maintain a master record file  
19 on each person committed to it, which shall contain the  
20 following information:

- 21 (1) all information from the committing court;
- 22 (2) reception summary;
- 23 (3) evaluation and assignment reports and  
24 recommendations;
- 25 (4) reports as to program assignment and progress;
- 26 (5) reports of disciplinary infractions and  
27 disposition;
- 28 (6) any parole plan;
- 29 (7) any parole reports;
- 30 (8) the date and circumstances of final discharge;
- 31 and any other pertinent data concerning the person's  
32 background, conduct, associations and family

1 relationships as may be required by the Department. A  
2 current summary index shall be maintained on each file  
3 which shall include the person's known active and past  
4 gang affiliations and ranks; and-

5 (9) a photograph of the person for identification  
6 purposes that the Department must require to be taken  
7 each year and at other times when the Department deems  
8 that the person's appearance has dramatically changed.

9 (b) All files shall be confidential and access shall be  
10 limited to authorized personnel of the Department. Personnel  
11 of other correctional, welfare or law enforcement agencies  
12 may have access to files under rules and regulations of the  
13 Department. The Department shall keep a record of all outside  
14 personnel who have access to files, the files reviewed, any  
15 file material copied, and the purpose of access. If the  
16 Department or the Prisoner Review Board makes a determination  
17 under this Code which affects the length of the period of  
18 confinement or commitment, the committed person and his  
19 counsel shall be advised of factual information relied upon  
20 by the Department or Board to make the determination,  
21 provided that the Department or Board shall not be required  
22 to advise a person committed to the Juvenile Division any  
23 such information which in the opinion of the Department or  
24 Board would be detrimental to his treatment or  
25 rehabilitation.

26 (c) The master file shall be maintained at a place  
27 convenient to its use by personnel of the Department in  
28 charge of the person. When custody of a person is transferred  
29 from the Department to another department or agency, a  
30 summary of the file shall be forwarded to the receiving  
31 agency with such other information required by law or  
32 requested by the agency under rules and regulations of the  
33 Department.

34 (d) The master file of a person no longer in the custody

1 of the Department shall be placed on inactive status and its  
2 use shall be restricted subject to rules and regulations of  
3 the Department.

4 (e) All public agencies may make available to the  
5 Department on request any factual data not otherwise  
6 privileged as a matter of law in their possession in respect  
7 to individuals committed to the Department.

8 (Source: P.A. 89-688, eff. 6-1-97; 89-689, eff. 12-31-96.)

9 Section 15. The County Jail Act is amended by changing  
10 Section 6 as follows:

11 (730 ILCS 125/6) (from Ch. 75, par. 106)

12 Sec. 6. The warden of the jail shall keep an exact  
13 permanent calendar of all persons committed to jail,  
14 registering the name, place of abode, time, cause and  
15 authority of their commitment, and the time and manner of  
16 their discharge. The warden of the jail must require every  
17 person committed to the county jail to be photographed for  
18 identification purposes each year and at other times when the  
19 warden deems that the prisoner's appearance has dramatically  
20 changed.

21 (Source: P.A. 83-1073.)