

SB0073



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB0073

Introduced 1/26/2005, by Sen. Don Harmon

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 05112 RLC 35152 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.)