

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 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:

17 (a) "juvenile justice system" means all activities by  
18 public or private agencies or persons pertaining to the  
19 handling of youth involved or having contact with the  
20 police, courts or corrections;

21 (b) "unit of general local government" means any  
22 county, municipality or other general purpose political  
23 subdivision of this State;

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

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

15          (3) To develop annual comprehensive plans based on analysis  
16          of juvenile crime problems and juvenile justice and delinquency  
17          prevention needs in the State, for the improvement of juvenile  
18          justice throughout the State, such plans to be in accordance  
19          with the federal Juvenile Justice and Delinquency Prevention  
20          Act of 1974, as amended;

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

25          (5) To advise, assist and make recommendations to the  
26          Governor as to how to achieve a more efficient and effective

1 juvenile justice system;

2 (5.1) To develop recommendations to ensure the effective  
3 reintegration of youth offenders into communities to which they  
4 are returning. The Illinois Juvenile Justice Commission,  
5 utilizing available information provided by the Department of  
6 Juvenile Justice, the Prisoner Review Board, the Illinois  
7 Criminal Justice Information Authority, and any other relevant  
8 State agency, shall develop by September 30, 2010, a report on  
9 juveniles who have been the subject of a parole revocation  
10 within the past year in Illinois. The report shall provide  
11 information on the number of youth confined in the Department  
12 of Juvenile Justice for revocation based on a technical parole  
13 violation, the length of time the youth spent on parole prior  
14 to the revocation, the nature of the committing offense that  
15 served as the basis for the original commitment, demographic  
16 information including age, race, sex, and zip code of the  
17 underlying offense and the conduct leading to revocation. In  
18 addition, the Juvenile Justice Commission shall develop  
19 recommendations to:

20 (A) recommend the development of a tracking system to  
21 provide quarterly statewide reports on youth released from  
22 the Illinois Department of Juvenile Justice including  
23 lengths of stay in the Illinois Department of Juvenile  
24 Justice prior to release, length of monitoring  
25 post-release, pre-release services provided to each youth,  
26 violations of release conditions including length of

1 release prior to violation, nature of violation, and  
2 intermediate sanctions offered prior to violation;

3 (B) recommend outcome measures of educational  
4 attainment, employment, homelessness, recidivism, and  
5 other appropriate measures that can be used to assess the  
6 performance of the State of Illinois in operating youth  
7 offender reentry programs;

8 (C) recommend due process protections for youth during  
9 release decision-making processes including, but not  
10 limited to, parole revocation proceedings and release on  
11 parole.

12 The Commission shall study and make recommendations to the  
13 Governor and General Assembly to ensure the effective treatment  
14 and supervision of the specialized population of juvenile  
15 offenders who are adjudicated delinquent for a sex offense. The  
16 Illinois Juvenile Justice Commission shall utilize available  
17 information and research on best practices within the State and  
18 across the nation including, but not limited to research and  
19 recommendations from the U.S. Department of Justice. Among  
20 other relevant options, the Commission shall: consider  
21 requiring specially trained probation, parole or aftercare  
22 officers to supervise juveniles adjudicated as sex offenders;  
23 explore the development of individualized probation or parole  
24 orders which would include, but is not limited to, supervision  
25 and treatment options for juveniles adjudicated as sex  
26 offenders; and consider the appropriateness and feasibility of

1 restricting juveniles adjudicated as sex offenders from  
2 certain locations including schools and parks.

3 The Juvenile Justice Commission shall include information  
4 and recommendations on the effectiveness of the State's  
5 juvenile reentry programming, including progress on the  
6 recommendations in subparagraphs (A) and (B) of this paragraph  
7 (5.1), in its annual submission of recommendations to the  
8 Governor and the General Assembly on matters relative to its  
9 function, and in its annual juvenile justice plan. This  
10 paragraph (5.1) may be cited as the Youth Reentry Improvement  
11 Law of 2009;

12 (6) To act as a central repository for federal, State,  
13 regional and local research studies, plans, projects, and  
14 proposals relating to the improvement of the juvenile justice  
15 system;

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

18 (8) To undertake research studies to aid in accomplishing  
19 its purposes;

20 (9) To establish priorities for the expenditure of funds  
21 made available by the United States for the improvement of the  
22 juvenile justice system throughout the State;

23 (10) To apply for, receive, allocate, disburse, and account  
24 for grants of funds made available by the United States  
25 pursuant to the federal Juvenile Justice and Delinquency  
26 Prevention Act of 1974, as amended; and such other similar

1 legislation as may be enacted from time to time in order to  
2 plan, establish, operate, coordinate, and evaluate projects  
3 directly or through grants and contracts with public and  
4 private agencies for the development of more effective  
5 education, training, research, prevention, diversion,  
6 treatment and rehabilitation programs in the area of juvenile  
7 delinquency and programs to improve the juvenile justice  
8 system;

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

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

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

19 (b) programs of local private agencies, to the extent  
20 such programs are consistent with the State plan;

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

24 (14) To enter into contracts and cooperate with units of  
25 general local government or combinations of such units, State  
26 agencies, and private organizations of all types, for the

1 purpose of carrying out the duties of the Department imposed by  
2 this Section or by federal law or regulations;

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

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