

SB2873



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB2873

Introduced 2/1/2012, by Sen. Tim Bivins

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-5-1

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

Amends the Unified Code of Corrections. Includes in the committed person's master record file: (1) disciplinary infraction tickets and Administrative Review Board action; (2) criminal history; (3) current and past gang affiliations and ranks; (4) information regarding associations and family relationships; (5) any grievances filed and responses to those grievances; and (6) other information that the Department of Corrections or Department of Juvenile Justice determines is relevant to the secure confinement and rehabilitation of the committed person. Effective immediately.

LRB097 16884 RLC 62071 b

A BILL FOR

1 AN ACT concerning corrections.

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 3-5-1 as follows:

6 (730 ILCS 5/3-5-1) (from Ch. 38, par. 1003-5-1)
7 Sec. 3-5-1. Master Record File.

8 (a) The Department of Corrections and the Department of
9 Juvenile Justice shall maintain a master record file on each
10 person committed to it, which shall contain the following
11 information:

- 12 (1) all information from the committing court;
- 13 (2) reception summary;
- 14 (3) evaluation and assignment reports and
15 recommendations;
- 16 (4) reports as to program assignment and progress;
- 17 (5) reports of disciplinary infractions and
18 disposition, including tickets and Administrative Review
19 Board action;
- 20 (6) any parole plan;
- 21 (7) any parole reports;
- 22 (8) the date and circumstances of final discharge;
- 23 (9) criminal history;

- 1 (10) current and past gang affiliations and ranks;
2 (11) information regarding associations and family
3 relationships;
4 (12) any grievances filed and responses to those
5 grievances; and
6 (13) other information that the respective Department
7 determines is relevant to the secure confinement and
8 rehabilitation of the committed person and any other
9 ~~pertinent data concerning the person's background,~~
10 ~~conduct, associations and family relationships as may be~~
11 ~~required by the respective Department. A current summary~~
12 ~~index shall be maintained on each file which shall include~~
13 ~~the person's known active and past gang affiliations and~~
14 ~~ranks.~~

15 (b) All files shall be confidential and access shall be
16 limited to authorized personnel of the respective Department.
17 Personnel of other correctional, welfare or law enforcement
18 agencies may have access to files under rules and regulations
19 of the respective Department. The respective Department shall
20 keep a record of all outside personnel who have access to
21 files, the files reviewed, any file material copied, and the
22 purpose of access. If the respective Department or the Prisoner
23 Review Board makes a determination under this Code which
24 affects the length of the period of confinement or commitment,
25 the committed person and his counsel shall be advised of
26 factual information relied upon by the respective Department or

1 Board to make the determination, provided that the Department
2 or Board shall not be required to advise a person committed to
3 the Department of Juvenile Justice any such information which
4 in the opinion of the Department of Juvenile Justice or Board
5 would be detrimental to his treatment or rehabilitation.

6 (c) The master file shall be maintained at a place
7 convenient to its use by personnel of the respective Department
8 in charge of the person. When custody of a person is
9 transferred from the Department to another department or
10 agency, a summary of the file shall be forwarded to the
11 receiving agency with such other information required by law or
12 requested by the agency under rules and regulations of the
13 respective Department.

14 (d) The master file of a person no longer in the custody of
15 the respective Department shall be placed on inactive status
16 and its use shall be restricted subject to rules and
17 regulations of the Department.

18 (e) All public agencies may make available to the
19 respective Department on request any factual data not otherwise
20 privileged as a matter of law in their possession in respect to
21 individuals committed to the respective Department.

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

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.