



Rep. Laura Faver Dias

Filed: 3/19/2025

10400HB3713ham001

LRB104 06497 RLC 24032 a

1 AMENDMENT TO HOUSE BILL 3713

2 AMENDMENT NO. _____. Amend House Bill 3713 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Unified Code of Corrections is amended by
5 changing Section 3-7-2 as follows:

6 (730 ILCS 5/3-7-2) (from Ch. 38, par. 1003-7-2)

7 Sec. 3-7-2. Facilities.

8 (a) All institutions and facilities of the Department
9 shall provide every committed person with access to toilet
10 facilities, barber facilities, bathing facilities at least
11 once each week, a library of legal materials and published
12 materials including newspapers and magazines approved by the
13 Director. A committed person may not receive any materials
14 that the Director deems pornographic.

15 (b) (Blank).

16 (c) All institutions and facilities of the Department

1 shall provide facilities for every committed person to leave
2 his cell for at least one hour each day unless the chief
3 administrative officer determines that it would be harmful or
4 dangerous to the security or safety of the institution or
5 facility.

6 (d) All institutions and facilities of the Department
7 shall provide every committed person with a wholesome and
8 nutritional diet at regularly scheduled hours, drinking water,
9 clothing adequate for the season, including underwear,
10 bedding, soap, ~~and~~ towels, and medical and dental care.
11 Underwear provided to each committed person in all
12 institutions and facilities of the Department shall be free of
13 charge and shall be provided at any time upon request,
14 including multiple requests, of the committed person or as
15 needed by the committed person.

16 (e) All institutions and facilities of the Department
17 shall permit every committed person to send and receive all
18 original physical mail ~~an unlimited number of uncensored~~
19 ~~letters~~, provided, however, that the Director may order that
20 mail be inspected and read for reasons of the security,
21 safety, or morale of the institution or facility. No
22 institutions or facility of the Department shall deny the
23 distribution of original physical mail to committed persons
24 after such incoming mail has undergone inspection and it has
25 been determined that the mail does not pose a threat to the
26 security or safety of the facility, personnel of the

1 Department, or committed persons.

2 (e-1) Beginning July 1, 2026, the Department shall collect
3 evidence of original physical mail that is deemed to pose a
4 threat to the safety or security of the facility or
5 institution, personnel of the Department, or committed persons
6 as described in this Section and report such data on the
7 Department's website including, but not limited to:

8 (1) the number of pieces of original physical mail
9 that were deemed to pose a threat as described in this
10 Section, reported by the facility;

11 (2) the type of threat posed as described in this
12 Section; and

13 (3) the test type and results used on incoming mail
14 due to suspicion of contents containing evidence of a
15 hazardous or toxic substance, or contents that violate a
16 State or federal law.

17 (e-2) The evidence required for paragraph (1) of
18 subsection (k) to apply must be made publicly available on a
19 quarterly basis and any changes or new policies created by the
20 Department of Corrections regarding communications for persons
21 who are incarcerated must be made publicly available on the
22 Department's website prior to implementation.

23 (e-3) No committed person shall be denied, or have
24 communications limited, with an outside support person,
25 whether by phone, mail, video, or in-person visitation, as a
26 result of a disciplinary sanction.

1 (e-4) Committed persons may contact outside supports via
2 phone, mail, video, or electronic message free of charge.

3 (f) All of the institutions and facilities of the
4 Department shall permit every committed person to receive
5 in-person visitors and video contact, if available, except in
6 case of abuse of the visiting privilege or when the chief
7 administrative officer determines that such visiting would be
8 harmful or dangerous to the security, safety or morale of the
9 institution or facility. Each committed person is entitled to
10 7 visits per month. Every committed person may submit a list of
11 at least 30 persons to the Department that are authorized to
12 visit the committed person. The list shall be kept in an
13 electronic format by the Department beginning on August 1,
14 2019, as well as available in paper form for Department
15 employees. The chief administrative officer shall have the
16 right to restrict visitation to non-contact visits, video, or
17 other forms of non-contact visits for reasons of safety,
18 security, and order, including, but not limited to,
19 restricting contact visits for committed persons engaged in
20 gang activity. ~~No committed person in a super maximum security~~
21 ~~facility or on disciplinary segregation is allowed contact~~
22 ~~visits. Any committed person found in possession of illegal~~
23 ~~drugs or who fails a drug test shall not be permitted contact~~
24 ~~visits for a period of at least 6 months. Any committed person~~
25 ~~involved in gang activities or found guilty of assault~~
26 ~~committed against a Department employee shall not be permitted~~

1 ~~contact visits for a period of at least 6 months.~~ The
2 Department shall offer every visitor appropriate written
3 information concerning HIV and AIDS, including information
4 concerning how to contact the Illinois Department of Public
5 Health for counseling information. The Department shall
6 develop the written materials in consultation with the
7 Department of Public Health. The Department shall ensure that
8 all such information and materials are culturally sensitive
9 and reflect cultural diversity as appropriate. Implementation
10 of the changes made to this Section by Public Act 94-629 is
11 subject to appropriation. The Department shall seek the lowest
12 possible cost to provide video calling and shall charge to the
13 extent of recovering any demonstrated costs of providing video
14 calling. The Department shall not make a commission or profit
15 from video calling services. Nothing in this Section shall be
16 construed to permit video calling instead of in-person
17 visitation.

18 (f-5) (Blank).

19 (f-10) The Department may not restrict or limit in-person
20 visits to committed persons due to the availability of
21 interactive video conferences.

22 (f-15) (1) The Department shall issue a standard written
23 policy for each institution and facility of the Department
24 that provides for:

25 (A) the number of in-person visits each committed
26 person is entitled to per week and per month including the

1 requirements of subsection (f) of this Section;

2 (B) the hours of in-person visits;

3 (C) the type of identification required for visitors
4 at least 18 years of age; and

5 (D) the type of identification, if any, required for
6 visitors under 18 years of age.

7 (2) This policy shall be posted on the Department website
8 and at each facility.

9 (3) The Department shall post on its website daily any
10 restrictions or denials of visitation for that day and the
11 succeeding 5 calendar days, including those based on a
12 lockdown of the facility, to inform family members and other
13 visitors.

14 (g) All institutions and facilities of the Department
15 shall permit religious ministrations and sacraments to be
16 available to every committed person, but attendance at
17 religious services shall not be required. This subsection (g)
18 is subject to the provisions of the Faith Behind Bars Act.

19 (h) Within 90 days after December 31, 1996, the Department
20 shall prohibit the use of curtains, cell-coverings, or any
21 other matter or object that obstructs or otherwise impairs the
22 line of vision into a committed person's cell.

23 (i) A point of contact person appointed under subsection
24 (u-6) of Section 3-2-2 of this Code shall promptly and
25 efficiently review suggestions, complaints, and other requests
26 made by visitors to institutions and facilities of the

1 Department and by other members of the public. Based on the
2 nature of the submission, the point of contact person shall
3 communicate with the appropriate division of the Department,
4 disseminate the concern or complaint, and act as liaison
5 between the parties to reach a resolution.

6 (1) The point of contact person shall maintain
7 information about the subject matter of each
8 correspondence, including, but not limited to, information
9 about the following subjects:

10 (A) the parties making the submission;

11 (B) any commissary-related concerns;

12 (C) any concerns about the institution or
13 facility's COVID-19 ~~COVID~~ protocols and mitigations;

14 (D) any concerns about mail, video, or electronic
15 messages or other communications with incarcerated
16 persons;

17 (E) any concerns about the institution or
18 facility;

19 (F) any discipline-related concerns;

20 (G) any concerns about earned sentencing credits;

21 (H) any concerns about educational opportunities
22 for incarcerated persons;

23 (I) any concerns about health-related matters;

24 (J) any mental health concerns;

25 (K) any concerns about personal property;

26 (L) any concerns about the records of the

1 incarcerated person;

2 (M) any concerns about recreational opportunities
3 for incarcerated persons;

4 (N) any staffing-related concerns;

5 (O) any concerns about the transfer of individuals
6 in custody;

7 (P) any concerns about visitation; and

8 (Q) any concerns about work opportunities for
9 incarcerated persons.

10 The information shall be maintained in accordance with
11 standards set by the Department of Corrections, and shall
12 be made available to the Department's Planning and
13 Research Division. The point of contact person shall
14 provide a summary of the results of the review, including
15 any resolution or recommendations made as a result of
16 correspondence with the Planning and Research Division of
17 the Department.

18 (2) The Department shall provide an annual written
19 report to the General Assembly and the Governor, with the
20 first report due no later than January 1, 2023, and
21 publish the report on its website within 48 hours after
22 the report is transmitted to the Governor and the General
23 Assembly. The report shall include a summary of activities
24 undertaken and completed as a result of submissions to the
25 point of contact person. The Department of Corrections
26 shall collect and report the following aggregated and

1 disaggregated data for each institution and facility and
2 describe:

3 (A) the work of the point of contact person;

4 (B) the general nature of suggestions, complaints,
5 and other requests submitted to the point of contact
6 person;

7 (C) the volume of emails, calls, letters, and
8 other correspondence received by the point of contact
9 person;

10 (D) the resolutions reached or recommendations
11 made as a result of the point of contact person's
12 review;

13 (E) whether, if an investigation is recommended, a
14 report of the complaint was forwarded to the Chief
15 Inspector of the Department or other Department
16 employee, and the resolution of the complaint, and if
17 the investigation has not concluded, a detailed status
18 report on the complaint; and

19 (F) any recommendations that the point of contact
20 person has relating to systemic issues in the
21 Department of Corrections, and any other matters for
22 consideration by the General Assembly and the
23 Governor.

24 The name, address, or other personally identifiable
25 information of a person who files a complaint, suggestion,
26 or other request with the point of contact person, and

1 confidential records shall be redacted from the annual
2 report and are not subject to disclosure under the Freedom
3 of Information Act. The Department shall disclose the
4 records only if required by a court order on a showing of
5 good cause.

6 (3) The Department must post in a conspicuous place in
7 the waiting area of every facility or institution a sign
8 that contains in bold, black type the following:

9 (A) a short statement notifying visitors of the
10 point of contact person and that person's duty to
11 receive suggestions, complaints, or other requests;
12 and

13 (B) information on how to submit suggestions,
14 complaints, or other requests to the point of contact
15 person.

16 (j) Menstrual hygiene products shall be available, as
17 needed, free of charge, at all institutions and facilities of
18 the Department for all committed persons who menstruate. In
19 this subsection (j), "menstrual hygiene products" means
20 tampons and sanitary napkins for use in connection with the
21 menstrual cycle.

22 (k) In this Section:

23 "Original physical mail" means a letter, card, or other
24 document delivered to the correctional institution or facility
25 by the United States Postal Service or other delivery service.

26 "Original physical mail" does not include mail that is

1 scanned, photocopied, or otherwise duplicated by the
2 correctional institution or facility or any entity contracted
3 by the correctional institution or facility to provide such a
4 service.

5 "Threat to the security or safety" means any of the
6 following:

7 (1) the original physical mail contains threats of
8 physical harm against any person or threats of criminal
9 activity;

10 (2) the original physical mail contains threats of
11 blackmail or extortion;

12 (3) the original physical mail contains information
13 regarding sending contraband into or out of the facility,
14 plans to escape, or plans to engage in criminal activity;

15 (4) the original physical mail is in code and its
16 contents cannot be understood by correctional staff;

17 (5) the original physical mail violates any
18 departmental rules or contains plans to engage in
19 activities in violation of departmental or institutional
20 rules;

21 (6) the original physical mail contains unauthorized
22 correspondence with another person who is incarcerated;

23 (7) the original physical mail or contents thereof
24 constitute a violation of State or federal law; or

25 (8) the original physical mail or contents contain
26 evidence of hazardous or toxic substance.

1 (Source: P.A. 102-1082, eff. 6-10-22; 102-1111, eff. 6-1-23;
2 103-154, eff. 6-30-23; 103-331, eff. 1-1-24; revised
3 7-22-24.)".