



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5298

Introduced 2/10/2026, by Rep. Will Guzzardi

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-2-2
730 ILCS 5/3-2-2.5 new
730 ILCS 5/3-2.5-61

Amends the Unified Code of Corrections. Provides that the annual reports submitted by the Director of Corrections and the Director of Juvenile Justice to the Governor and General Assembly shall include various statistics concerning committed persons aged 18 or older, but younger than 22, who are incarcerated in the Department of Corrections or transferred to Department of Juvenile Justice facilities to participate in the High School Diploma Program.

LRB104 18286 RLC 31726 b

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 Sections 3-2-2 and 3-2.5-61 and by adding Section
6 3-2-2.5 as follows:

7 (730 ILCS 5/3-2-2)

8 Sec. 3-2-2. Powers and duties of the Department.

9 (1) In addition to the powers, duties, and
10 responsibilities which are otherwise provided by law, the
11 Department shall have the following powers:

12 (a) To accept persons committed to it by the courts of
13 this State for care, custody, treatment, and
14 rehabilitation, and to accept federal prisoners and
15 noncitizens over whom the Office of the Federal Detention
16 Trustee is authorized to exercise the federal detention
17 function for limited purposes and periods of time.

18 (b) To develop and maintain reception and evaluation
19 units for purposes of analyzing the custody and
20 rehabilitation needs of persons committed to it and to
21 assign such persons to institutions and programs under its
22 control or transfer them to other appropriate agencies. In
23 consultation with the Department of Alcoholism and

1 Substance Abuse (now the Department of Human Services),
2 the Department of Corrections shall develop a master plan
3 for the screening and evaluation of persons committed to
4 its custody who have alcohol or drug abuse problems, and
5 for making appropriate treatment available to such
6 persons; the Department shall report to the General
7 Assembly on such plan not later than April 1, 1987. The
8 maintenance and implementation of such plan shall be
9 contingent upon the availability of funds.

10 (b-1) To create and implement, on January 1, 2002, a
11 pilot program to establish the effectiveness of
12 pupillometer technology (the measurement of the pupil's
13 reaction to light) as an alternative to a urine test for
14 purposes of screening and evaluating persons committed to
15 its custody who have alcohol or drug problems. The pilot
16 program shall require the pupillometer technology to be
17 used in at least one Department of Corrections facility.
18 The Director may expand the pilot program to include an
19 additional facility or facilities as he or she deems
20 appropriate. A minimum of 4,000 tests shall be included in
21 the pilot program. The Department must report to the
22 General Assembly on the effectiveness of the program by
23 January 1, 2003.

24 (b-5) To develop, in consultation with the Illinois
25 State Police, a program for tracking and evaluating each
26 inmate from commitment through release for recording his

1 or her gang affiliations, activities, or ranks.

2 (c) To maintain and administer all State correctional
3 institutions and facilities under its control and to
4 establish new ones as needed. Pursuant to its power to
5 establish new institutions and facilities, the Department
6 may, with the written approval of the Governor, authorize
7 the Department of Central Management Services to enter
8 into an agreement of the type described in subsection (d)
9 of Section 405-300 of the Department of Central Management
10 Services Law. The Department shall designate those
11 institutions which shall constitute the State Penitentiary
12 System. The Department of Juvenile Justice shall maintain
13 and administer all State youth centers pursuant to
14 subsection (d) of Section 3-2.5-20.

15 Pursuant to its power to establish new institutions
16 and facilities, the Department may authorize the
17 Department of Central Management Services to accept bids
18 from counties and municipalities for the construction,
19 remodeling, or conversion of a structure to be leased to
20 the Department of Corrections for the purposes of its
21 serving as a correctional institution or facility. Such
22 construction, remodeling, or conversion may be financed
23 with revenue bonds issued pursuant to the Industrial
24 Building Revenue Bond Act by the municipality or county.
25 The lease specified in a bid shall be for a term of not
26 less than the time needed to retire any revenue bonds used

1 to finance the project, but not to exceed 40 years. The
2 lease may grant to the State the option to purchase the
3 structure outright.

4 Upon receipt of the bids, the Department may certify
5 one or more of the bids and shall submit any such bids to
6 the General Assembly for approval. Upon approval of a bid
7 by a constitutional majority of both houses of the General
8 Assembly, pursuant to joint resolution, the Department of
9 Central Management Services may enter into an agreement
10 with the county or municipality pursuant to such bid.

11 (c-5) To build and maintain regional juvenile
12 detention centers and to charge a per diem to the counties
13 as established by the Department to defray the costs of
14 housing each minor in a center. In this subsection (c-5),
15 "juvenile detention center" means a facility to house
16 minors during pendency of trial who have been transferred
17 from proceedings under the Juvenile Court Act of 1987 to
18 prosecutions under the criminal laws of this State in
19 accordance with Section 5-805 of the Juvenile Court Act of
20 1987, whether the transfer was by operation of law or
21 permissive under that Section. The Department shall
22 designate the counties to be served by each regional
23 juvenile detention center.

24 (d) To develop and maintain programs of control,
25 rehabilitation, and employment of committed persons within
26 its institutions.

1 (d-5) To provide a pre-release job preparation program
2 for inmates at Illinois adult correctional centers.

3 (d-10) To provide educational and visitation
4 opportunities to committed persons within its institutions
5 through temporary access to content-controlled tablets
6 that may be provided as a privilege to committed persons
7 to induce or reward compliance.

8 (e) To establish a system of supervision and guidance
9 of committed persons in the community.

10 (f) To establish in cooperation with the Department of
11 Transportation to supply a sufficient number of prisoners
12 for use by the Department of Transportation to clean up
13 the trash and garbage along State, county, township, or
14 municipal highways as designated by the Department of
15 Transportation. The Department of Corrections, at the
16 request of the Department of Transportation, shall furnish
17 such prisoners at least annually for a period to be agreed
18 upon between the Director of Corrections and the Secretary
19 of Transportation. The prisoners used on this program
20 shall be selected by the Director of Corrections on
21 whatever basis he deems proper in consideration of their
22 term, behavior and earned eligibility to participate in
23 such program - where they will be outside of the prison
24 facility but still in the custody of the Department of
25 Corrections. Prisoners convicted of first degree murder,
26 or a Class X felony, or armed violence, or aggravated

1 kidnapping, or criminal sexual assault, aggravated
2 criminal sexual abuse or a subsequent conviction for
3 criminal sexual abuse, or forcible detention, or arson, or
4 a prisoner adjudged a Habitual Criminal shall not be
5 eligible for selection to participate in such program. The
6 prisoners shall remain as prisoners in the custody of the
7 Department of Corrections and such Department shall
8 furnish whatever security is necessary. The Department of
9 Transportation shall furnish trucks and equipment for the
10 highway cleanup program and personnel to supervise and
11 direct the program. Neither the Department of Corrections
12 nor the Department of Transportation shall replace any
13 regular employee with a prisoner.

14 (g) To maintain records of persons committed to it and
15 to establish programs of research, statistics, and
16 planning.

17 (h) To investigate the grievances of any person
18 committed to the Department and to inquire into any
19 alleged misconduct by employees or committed persons; and
20 for these purposes it may issue subpoenas and compel the
21 attendance of witnesses and the production of writings and
22 papers, and may examine under oath any witnesses who may
23 appear before it; to also investigate alleged violations
24 of a parolee's or releasee's conditions of parole or
25 release; and for this purpose it may issue subpoenas and
26 compel the attendance of witnesses and the production of

1 documents only if there is reason to believe that such
2 procedures would provide evidence that such violations
3 have occurred.

4 If any person fails to obey a subpoena issued under
5 this subsection, the Director may apply to any circuit
6 court to secure compliance with the subpoena. The failure
7 to comply with the order of the court issued in response
8 thereto shall be punishable as contempt of court.

9 (i) To appoint and remove the chief administrative
10 officers, and administer programs of training and
11 development of personnel of the Department. Personnel
12 assigned by the Department to be responsible for the
13 custody and control of committed persons or to investigate
14 the alleged misconduct of committed persons or employees
15 or alleged violations of a parolee's or releasee's
16 conditions of parole shall be conservators of the peace
17 for those purposes, and shall have the full power of peace
18 officers outside of the facilities of the Department in
19 the protection, arrest, retaking, and reconfining of
20 committed persons or where the exercise of such power is
21 necessary to the investigation of such misconduct or
22 violations. This subsection shall not apply to persons
23 committed to the Department of Juvenile Justice under the
24 Juvenile Court Act of 1987 on aftercare release.

25 (j) To cooperate with other departments and agencies
26 and with local communities for the development of

1 standards and programs for better correctional services in
2 this State.

3 (k) To administer all moneys and properties of the
4 Department.

5 (l) To report annually to the Governor on the
6 committed persons, institutions, and programs of the
7 Department.

8 (l-5) (Blank).

9 (m) To make all rules and regulations and exercise all
10 powers and duties vested by law in the Department.

11 (n) To establish rules and regulations for
12 administering a system of sentence credits, established in
13 accordance with Section 3-6-3, subject to review by the
14 Prisoner Review Board.

15 (o) To administer the distribution of funds from the
16 State Treasury to reimburse counties where State penal
17 institutions are located for the payment of assistant
18 state's attorneys' salaries under Section 4-2001 of the
19 Counties Code.

20 (p) To exchange information with the Department of
21 Human Services and the Department of Healthcare and Family
22 Services for the purpose of verifying living arrangements
23 and for other purposes directly connected with the
24 administration of this Code and the Illinois Public Aid
25 Code.

26 (q) To establish a diversion program.

1 The program shall provide a structured environment for
2 selected technical parole or mandatory supervised release
3 violators and committed persons who have violated the
4 rules governing their conduct while in work release. This
5 program shall not apply to those persons who have
6 committed a new offense while serving on parole or
7 mandatory supervised release or while committed to work
8 release.

9 Elements of the program shall include, but shall not
10 be limited to, the following:

11 (1) The staff of a diversion facility shall
12 provide supervision in accordance with required
13 objectives set by the facility.

14 (2) Participants shall be required to maintain
15 employment.

16 (3) Each participant shall pay for room and board
17 at the facility on a sliding-scale basis according to
18 the participant's income.

19 (4) Each participant shall:

20 (A) provide restitution to victims in
21 accordance with any court order;

22 (B) provide financial support to his
23 dependents; and

24 (C) make appropriate payments toward any other
25 court-ordered obligations.

26 (5) Each participant shall complete community

1 service in addition to employment.

2 (6) Participants shall take part in such
3 counseling, educational, and other programs as the
4 Department may deem appropriate.

5 (7) Participants shall submit to drug and alcohol
6 screening.

7 (8) The Department shall promulgate rules
8 governing the administration of the program.

9 (r) To enter into intergovernmental cooperation
10 agreements under which persons in the custody of the
11 Department may participate in a county impact
12 incarceration program established under Section 3-6038 or
13 3-15003.5 of the Counties Code.

14 (r-5) (Blank).

15 (r-10) To systematically and routinely identify with
16 respect to each streetgang active within the correctional
17 system: (1) each active gang; (2) every existing
18 inter-gang affiliation or alliance; and (3) the current
19 leaders in each gang. The Department shall promptly
20 segregate leaders from inmates who belong to their gangs
21 and allied gangs. "Segregate" means no physical contact
22 and, to the extent possible under the conditions and space
23 available at the correctional facility, prohibition of
24 visual and sound communication. For the purposes of this
25 paragraph (r-10), "leaders" means persons who:

26 (i) are members of a criminal streetgang;

1 (ii) with respect to other individuals within the
2 streetgang, occupy a position of organizer,
3 supervisor, or other position of management or
4 leadership; and

5 (iii) are actively and personally engaged in
6 directing, ordering, authorizing, or requesting
7 commission of criminal acts by others, which are
8 punishable as a felony, in furtherance of streetgang
9 related activity both within and outside of the
10 Department of Corrections.

11 "Streetgang", "gang", and "streetgang related" have the
12 meanings ascribed to them in Section 10 of the Illinois
13 Streetgang Terrorism Omnibus Prevention Act.

14 (s) To operate a super-maximum security institution,
15 in order to manage and supervise inmates who are
16 disruptive or dangerous and provide for the safety and
17 security of the staff and the other inmates.

18 (t) To monitor any unprivileged conversation or any
19 unprivileged communication, whether in person or by mail,
20 telephone, or other means, between an inmate who, before
21 commitment to the Department, was a member of an organized
22 gang and any other person without the need to show cause or
23 satisfy any other requirement of law before beginning the
24 monitoring, except as constitutionally required. The
25 monitoring may be by video, voice, or other method of
26 recording or by any other means. As used in this

1 subdivision (1)(t), "organized gang" has the meaning
2 ascribed to it in Section 10 of the Illinois Streetgang
3 Terrorism Omnibus Prevention Act.

4 As used in this subdivision (1)(t), "unprivileged
5 conversation" or "unprivileged communication" means a
6 conversation or communication that is not protected by any
7 privilege recognized by law or by decision, rule, or order
8 of the Illinois Supreme Court.

9 (u) To establish a Women's and Children's Pre-release
10 Community Supervision Program for the purpose of providing
11 housing and services to eligible female inmates, as
12 determined by the Department, and their newborn and young
13 children.

14 (u-5) To issue an order, whenever a person committed
15 to the Department absconds or absents himself or herself,
16 without authority to do so, from any facility or program
17 to which he or she is assigned. The order shall be
18 certified by the Director, the Supervisor of the
19 Apprehension Unit, or any person duly designated by the
20 Director, with the seal of the Department affixed. The
21 order shall be directed to all sheriffs, coroners, and
22 police officers, or to any particular person named in the
23 order. Any order issued pursuant to this subdivision
24 (1)(u-5) shall be sufficient warrant for the officer or
25 person named in the order to arrest and deliver the
26 committed person to the proper correctional officials and

1 shall be executed the same as criminal process.

2 (u-6) To appoint a point of contact person who shall
3 receive suggestions, complaints, or other requests to the
4 Department from visitors to Department institutions or
5 facilities and from other members of the public.

6 (u-7) To collaborate with the Department of Human
7 Services and other State agencies to develop and implement
8 screening and follow-up protocols for intake and reentry
9 personnel and contractors on identification and response
10 to Department-involved individuals who demonstrate
11 indications of past labor or sex trafficking
12 victimization, criminal sexual exploitation or a history
13 of involvement in the sex trade that may put them at risk
14 of human trafficking. Protocols should include assessment
15 and provision of pre-release and post-release housing,
16 legal, medical, mental health and substance-use disorder
17 treatment services and recognize the specialized needs of
18 victims of human trafficking.

19 (u-8) To provide statewide training for Department of
20 Corrections intake and reentry personnel and contractors
21 on identification and response to Department-involved
22 individuals who demonstrate indications of past
23 trafficking victimization or child sexual exploitation
24 that put them at risk of human trafficking.

25 (u-9) To offer access to specialized services for
26 Department-involved individuals within the care that

1 demonstrate indications of past trafficking victimization
2 or child sexual exploitation that put them at risk of
3 trafficking. As used in this subsection, "specialized
4 services" means substance use ~~substance-use~~ disorder,
5 mental health, medical, case-management, housing, and
6 other support services by Department employees or
7 contractors who have completed victim-centered,
8 trauma-informed training specifically designed to address
9 the complex psychological ~~and~~ or physical needs of victims
10 of human trafficking, sexual exploitation, or a history of
11 involvement with the sex trade.

12 (u-10) To submit an annual report to the Governor and
13 General Assembly containing the information provided in
14 Section 3-2-2.5.

15 (v) To do all other acts necessary to carry out the
16 provisions of this Chapter.

17 (2) The Department of Corrections shall by January 1,
18 1998, consider building and operating a correctional facility
19 within 100 miles of a county of over 2,000,000 inhabitants,
20 especially a facility designed to house juvenile participants
21 in the impact incarceration program.

22 (3) When the Department lets bids for contracts for
23 medical services to be provided to persons committed to
24 Department facilities by a health maintenance organization,
25 medical service corporation, or other health care provider,
26 the bid may only be let to a health care provider that has

1 obtained an irrevocable letter of credit or performance bond
2 issued by a company whose bonds have an investment grade or
3 higher rating by a bond rating organization.

4 (3.5) If the Department has a contract with a pharmacy
5 benefit manager or a contract with an insurance company,
6 health maintenance organization, limited health service
7 organization, administrative services organization, or any
8 other managed care entity or health insurance issuer where a
9 pharmacy benefit manager administers the provider's coverage
10 of, payment for, or formulary design for drugs necessary to
11 safeguard the minor's life or health, the contract with the
12 pharmacy benefit manager and the pharmacy benefit manager's
13 activities shall be subject to Article XXXIIB of the Illinois
14 Insurance Code and the authority of the Director of Insurance
15 to enforce those provisions. The provider shall have all the
16 rights of a plan sponsor under those provisions.

17 (4) When the Department lets bids for contracts for food
18 or commissary services to be provided to Department
19 facilities, the bid may only be let to a food or commissary
20 services provider that has obtained an irrevocable letter of
21 credit or performance bond issued by a company whose bonds
22 have an investment grade or higher rating by a bond rating
23 organization.

24 (5) On and after the date 6 months after August 16, 2013
25 (the effective date of Public Act 98-488), as provided in the
26 Executive Order 1 (2012) Implementation Act, all of the

1 powers, duties, rights, and responsibilities related to State
2 healthcare purchasing under this Code that were transferred
3 from the Department of Corrections to the Department of
4 Healthcare and Family Services by Executive Order 3 (2005) are
5 transferred back to the Department of Corrections; however,
6 powers, duties, rights, and responsibilities related to State
7 healthcare purchasing under this Code that were exercised by
8 the Department of Corrections before the effective date of
9 Executive Order 3 (2005) but that pertain to individuals
10 resident in facilities operated by the Department of Juvenile
11 Justice are transferred to the Department of Juvenile Justice.

12 (6) The Department of Corrections shall provide lactation
13 or nursing mothers rooms for personnel of the Department. The
14 rooms shall be provided in each facility of the Department
15 that employs nursing mothers. Each individual lactation room
16 must:

17 (i) contain doors that lock;

18 (ii) have an "Occupied" sign for each door;

19 (iii) contain electrical outlets for plugging in
20 breast pumps;

21 (iv) have sufficient lighting and ventilation;

22 (v) contain comfortable chairs;

23 (vi) contain a countertop or table for all necessary
24 supplies for lactation;

25 (vii) contain a wastebasket and chemical cleaners to
26 wash one's hands and to clean the surfaces of the

- 1 countertop or table;
- 2 (viii) have a functional sink;
- 3 (ix) have a minimum of one refrigerator for storage of
- 4 the breast milk; and
- 5 (x) receive routine daily maintenance.

6 (Source: P.A. 103-834, eff. 1-1-25; 104-27, eff. 1-1-26;

7 104-159, eff. 1-1-26; revised 11-21-25.)

8 (730 ILCS 5/3-2-2.5 new)

9 Sec. 3-2-2.5. Annual report of the Department of

10 Corrections to the Governor and General Assembly. The annual

11 report of the Director of Corrections to the Governor and

12 General Assembly shall contain:

13 (1) the number of students aged 18 or older, but younger

14 than 22, who are enrolled in the High School Diploma Program

15 operating in Department of Corrections facilities during the

16 preceding school year, listed by correctional facility;

17 (2) the total number of special education students aged 18

18 or older, but younger than 22, who are enrolled in the High

19 School Diploma Program during the preceding school year,

20 listed by correctional facility;

21 (3) the number of students aged 18 or older, but younger

22 than 22, who had individualized education program meetings and

23 were enrolled in the High School Diploma Program during the

24 preceding school year, listed by correctional facility;

25 (4) the number of students aged 18 or older, but younger

1 than 22, who had special education evaluations completed and
2 were enrolled in the High School Diploma Program during the
3 preceding school year, listed by correctional facility;

4 (5) the number of students aged 18 or older, but younger
5 than 22, who had functional behavior analyses completed and
6 were enrolled in the High School Diploma Program during the
7 preceding school year, listed by correctional facility;

8 (6) the number of employees currently employed in the High
9 School Diploma Program and their titles and credentials;

10 (7) the number of Department of Juvenile Justice employees
11 in non-teaching positions working in the High School Diploma
12 Program and their titles and credentials;

13 (8) the number of students aged 18 or older, but younger
14 than 22, who have graduated from the High School Diploma
15 Program in the preceding school year, listed by correctional
16 facility;

17 (9) the daily schedule for the High School Diploma Program
18 for the preceding school year, listed by correctional
19 facility;

20 (10) the number of students aged 18 or older, but younger
21 than 22, who are enrolled in the High School Diploma Program
22 and are provided with speech language therapy services as
23 required by their individual educational plans, listed by
24 correctional facility;

25 (11) the number of students aged 18 or older, but younger
26 than 22, who are enrolled in the High School Diploma Program

1 and are provided with social work services as required by
2 their individual educational plans, listed by correctional
3 facility;

4 (12) the number of students aged 18 or older, but younger
5 than 22, who are enrolled in the High School Diploma Program
6 and are provided with speech language therapy services as
7 required by their individual educational plans, listed by
8 facility;

9 (13) the average length of time between the admission date
10 and the first day of High School Diploma Program attendance
11 for special education eligible students, ranging from shortest
12 length of time to longest length of time;

13 (14) the number of special education eligible students who
14 did not attend the High School Diploma Program during the
15 preceding school year, listed by:

16 (A) students aged 18 or older, but younger than 22,
17 who opted out of the High School Diploma Program and the
18 reasons they identified for opting out;

19 (B) students aged 18 or older, but younger than 22,
20 who did not receive placement in the High School Diploma
21 Program because of lack of space or available capacity in
22 the Program;

23 (C) students aged 18 or older, but younger than 22,
24 who were not permitted to attend because of behavioral
25 issues, restrictive housing, a medical illness or
26 condition, admission to a residential treatment unit, or a

1 mental health issue; and

2 (D) students aged 18 or older, but younger than 22,
3 who were housed in a correctional facility without a High
4 School Diploma Program and were not able to transfer;

5 (15) the number of days the High School Diploma Program
6 was cancelled during the preceding school year, listed by
7 correctional facility and by reason for the cancellation;

8 (16) the number of High School Diploma Program students
9 who did not complete the program prior to graduation during
10 the preceding school year, listed by correctional facility;

11 (17) the number of students aged 18 or older, but younger
12 than 22, who revoked special education rights during the
13 preceding school year, listed by oral revocation versus
14 written revocation;

15 (18) the number of mediations held by the Department of
16 Juvenile Justice School District for individuals in Department
17 of Corrections custody during the preceding school year;

18 (19) the number of due process hearings held by the
19 Department of Juvenile Justice School District for individuals
20 in Department of Corrections custody during the preceding
21 school year;

22 (20) the number of students aged 18 or older, but younger
23 than 22, who are enrolled in the High School Diploma Program
24 and are provided with occupational therapy services as
25 required by their individual educational plans, listed by
26 correctional facility;

1 (21) the number of students aged 18 or older, but younger
2 than 22, who are enrolled in the High School Diploma Program
3 and are provided with physical therapy services as required by
4 their individual educational plans, listed by correctional
5 facility; and

6 (22) the number of students aged 18 or older, but younger
7 than 22, who are enrolled in the High School Diploma Program
8 and are provided with nursing services as required by their
9 individual educational plans, listed by correctional facility.

10 (730 ILCS 5/3-2.5-61)

11 Sec. 3-2.5-61. Annual and other reports.

12 (a) The Director shall make an annual electronic report to
13 the Governor and General Assembly concerning persons committed
14 to the Department, its institutions, facilities, and programs,
15 of all moneys expended and received, and on what accounts
16 expended and received no later than January 1 of each year. The
17 report shall include the ethnic and racial background data,
18 not identifiable to an individual, of all persons committed to
19 the Department, its institutions, facilities, programs, and
20 outcome measures established with the Juvenile Advisory Board.

21 (b) The Department of Juvenile Justice shall, by January
22 1, April 1, July 1, and October 1 of each year, electronically
23 transmit to the Governor and General Assembly, a report which
24 shall include the following information:

25 (1) the number of youth in each of the Department's

1 facilities and the number of youth on aftercare;

2 (2) the demographics of sex, age, race and ethnicity,
3 classification of offense, and geographic location where
4 the offense occurred;

5 (3) the educational and vocational programs provided
6 at each facility and the number of residents participating
7 in each program;

8 (4) the present capacity levels in each facility;

9 (5) staff-to-youth ratios in accordance with the
10 federal Prison Rape Elimination Act (PREA) definitions;

11 (6) the number of reported assaults on staff at each
12 facility;

13 (7) the number of reported incidents of youth sexual
14 aggression towards staff at each facility including sexual
15 assault, residents exposing themselves, sexual touching,
16 and sexually offensive harassing language such as repeated
17 and unwelcome sexual advances, requests for sexual favors,
18 or verbal comments, gestures, or actions of a derogatory
19 or offensive sexual nature; and

20 (8) the number of staff injuries resulting from youth
21 violence at each facility including descriptions of the
22 nature and location of the injuries, the number of staff
23 injuries requiring medical treatment at the facility, the
24 number of staff injuries requiring outside medical
25 treatment and the number of days off work per injury. For
26 purposes of this Section, the definition of assault on

1 staff includes, but is not limited to, kicking, punching,
2 knocking down, harming or threatening to harm with
3 improvised weapons, or throwing urine or feces at staff.

4 (c) The requirements in subsection (b) do not relieve the
5 Department from the recordkeeping requirements of the
6 Occupational Safety and Health Act.

7 (c-1) The Director of Juvenile Justice shall assist the
8 Director of Corrections in preparing the annual report
9 submitted by the Director of Corrections under Section
10 3-2-2.5. The annual report submitted under this Section shall
11 contain the information required under Section 3-2-2.5 but
12 only pertaining to persons aged 18 or older, but younger than
13 22, who are in the custody of the Department of Corrections and
14 are transferred to Department of Juvenile Justice facilities
15 under Section 3-9-2.1 to participate in emerging adult
16 programs.

17 (d) The Department shall:

18 (1) establish a reasonable procedure for employees to
19 report work-related assaults and injuries. A procedure is
20 not reasonable if it would deter or discourage a
21 reasonable employee from accurately reporting a workplace
22 assault or injury;

23 (2) inform each employee:

24 (A) of the procedure for reporting work-related
25 assaults and injuries;

26 (B) of the right to report work-related assaults

1 and injuries; and

2 (C) that the Department is prohibited from
3 discharging or in any manner discriminating against
4 employees for reporting work-related assaults and
5 injuries; and

6 (3) not discharge, discipline or in any manner
7 discriminate against any employee for reporting a
8 work-related assault or injury.

9 (e) For the purposes of paragraphs (7) and (8) of
10 subsection (b) only, reports shall be filed beginning July 1,
11 2019 or the implementation of the Department's Offender 360
12 Program, whichever occurs first.

13 (Source: P.A. 100-1075, eff. 1-1-19; 101-159, eff. 1-1-20.)