



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB5814

Introduced 08/02/06, by Rep. Thomas Holbrook

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-15-2

from Ch. 38, par. 1003-15-2

Amends the Unified Code of Corrections. Provides that a minor placed in a detention or shelter care facility may not make a telephone call from that facility, except to a family member of the minor placed in the facility who notifies the administrator of the facility that the family member agrees to accept a telephone call made by the minor from that facility. Provides that the Department of Juvenile Justice shall adopt rules to implement this provision. Effective immediately.

LRB094 21164 RLC 59495 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 Section 3-15-2 as follows:

6 (730 ILCS 5/3-15-2) (from Ch. 38, par. 1003-15-2)

7 Sec. 3-15-2. Standards and Assistance to Local Jails and
8 Detention and Shelter Care Facilities.

9 (a) The Department of Corrections shall establish for the
10 operation of county and municipal jails and houses of
11 correction, minimum standards for the physical condition of
12 such institutions and for the treatment of inmates with respect
13 to their health and safety and the security of the community.

14 The Department of Juvenile Justice shall establish for the
15 operation of county juvenile detention and shelter care
16 facilities established pursuant to the County Shelter Care and
17 Detention Home Act, minimum standards for the physical
18 condition of such institutions and for the treatment of
19 juveniles with respect to their health and safety and the
20 security of the community.

21 Except as otherwise provided in subsection (a-5), such ~~Such~~
22 standards shall not apply to county shelter care facilities
23 which were in operation prior to January 1, 1980. Such
24 standards shall not seek to mandate minimum floor space
25 requirements for each inmate housed in cells and detention
26 rooms in county and municipal jails and houses of correction.
27 However, no more than two inmates may be housed in a single
28 cell or detention room.

29 (a-5) The standards for the operation of county juvenile
30 detention and shelter care facilities established under the
31 County Shelter Care and Detention Home Act shall provide that a
32 minor placed in a detention or shelter care facility may not

1 make a telephone call from that facility, except to a family
2 member of the minor placed in the facility who notifies the
3 administrator of the facility that the family member agrees to
4 accept a telephone call made by the minor from that facility.
5 The Department of Juvenile Justice shall adopt rules to
6 implement this subsection (a-5).

7 (a-6) When an inmate is tested for an airborne communicable
8 disease, as determined by the Illinois Department of Public
9 Health including but not limited to tuberculosis, the results
10 of the test shall be personally delivered by the warden or his
11 or her designee in a sealed envelope to the judge of the court
12 in which the inmate must appear for the judge's inspection in
13 camera if requested by the judge. Acting in accordance with the
14 best interests of those in the courtroom, the judge shall have
15 the discretion to determine what if any precautions need to be
16 taken to prevent transmission of the disease in the courtroom.

17 (b) At least once each year, the Department of Corrections
18 may inspect each adult facility for compliance with the
19 standards established and the results of such inspection shall
20 be made available by the Department for public inspection. At
21 least once each year, the Department of Juvenile Justice shall
22 inspect each county juvenile detention and shelter care
23 facility for compliance with the standards established, and the
24 Department of Juvenile Justice shall make the results of such
25 inspections available for public inspection. If any detention,
26 shelter care or correctional facility does not comply with the
27 standards established, the Director of Corrections or the
28 Director of Juvenile Justice, as the case may be, shall give
29 notice to the county board and the sheriff or the corporate
30 authorities of the municipality, as the case may be, of such
31 noncompliance, specifying the particular standards that have
32 not been met by such facility. If the facility is not in
33 compliance with such standards when six months have elapsed
34 from the giving of such notice, the Director of Corrections or
35 the Director of Juvenile Justice, as the case may be, may
36 petition the appropriate court for an order requiring such

1 facility to comply with the standards established by the
2 Department or for other appropriate relief.

3 (c) The Department of Corrections may provide consultation
4 services for the design, construction, programs and
5 administration of correctional facilities and services for
6 adults operated by counties and municipalities and may make
7 studies and surveys of the programs and the administration of
8 such facilities. Personnel of the Department shall be admitted
9 to these facilities as required for such purposes. The
10 Department may develop and administer programs of
11 grants-in-aid for correctional services in cooperation with
12 local agencies. The Department may provide courses of training
13 for the personnel of such institutions and conduct pilot
14 projects in the institutions.

15 (c-5) The Department of Juvenile Justice may provide
16 consultation services for the design, construction, programs,
17 and administration of detention and shelter care services for
18 children operated by counties and municipalities and may make
19 studies and surveys of the programs and the administration of
20 such facilities. Personnel of the Department of Juvenile
21 Justice shall be admitted to these facilities as required for
22 such purposes. The Department of Juvenile Justice may develop
23 and administer programs of grants-in-aid for juvenile
24 correctional services in cooperation with local agencies. The
25 Department of Juvenile Justice may provide courses of training
26 for the personnel of such institutions and conduct pilot
27 projects in the institutions.

28 (d) The Department is authorized to issue reimbursement
29 grants for counties, municipalities or public building
30 commissions for the purpose of meeting minimum correctional
31 facilities standards set by the Department under this Section.
32 Grants may be issued only for projects that were completed
33 after July 1, 1980 and initiated prior to January 1, 1987.

34 (1) Grants for regional correctional facilities shall
35 not exceed 90% of the project costs or \$7,000,000,
36 whichever is less.

1 (2) Grants for correctional facilities by a single
2 county, municipality or public building commission shall
3 not exceed 75% of the proposed project costs or \$4,000,000,
4 whichever is less.

5 (3) As used in this subsection (d), "project" means
6 only that part of a facility that is constructed for jail,
7 correctional or detention purposes and does not include
8 other areas of multi-purpose buildings.

9 Construction or renovation grants are authorized to be
10 issued by the Capital Development Board from capital
11 development bond funds after application by a county or
12 counties, municipality or municipalities or public building
13 commission or commissions and approval of a construction or
14 renovation grant by the Department for projects initiated after
15 January 1, 1987.

16 (e) The Department of Juvenile Justice shall adopt
17 standards for county jails to hold juveniles on a temporary
18 basis, as provided in Section 5-410 of the Juvenile Court Act
19 of 1987. These standards shall include educational,
20 recreational, and disciplinary standards as well as access to
21 medical services, crisis intervention, mental health services,
22 suicide prevention, health care, nutritional needs, and
23 visitation rights. The Department of Juvenile Justice shall
24 also notify any county applying to hold juveniles in a county
25 jail of the monitoring and program standards for juvenile
26 detention facilities under Section 5-410 of the Juvenile Court
27 Act of 1987.

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

29 Section 99. Effective date. This Act takes effect upon
30 becoming law.