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LRB094 06238 EFG 47411 a

1 AMENDMENT TO SENATE BILL 92

2 AMENDMENT NO. _____. Amend Senate Bill 92, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Unified Code of Corrections is amended by
6 changing Section 3-2-5 and adding Section 3-2-5.1 as follows:

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

8 Sec. 3-2-5. Organization of the Department; Adult
9 Department of Corrections and the Department of Juvenile
10 Justice.

11 (a) There shall be an Adult Division within the Department
12 which shall be administered by an Assistant Director appointed
13 by the Governor under The Civil Administrative Code of
14 Illinois. The Assistant Director shall be under the direction
15 of the Director. The Adult Division shall be responsible for
16 all persons committed or transferred to the Department under
17 Sections 3-10-7 or 5-8-6 of this Code.

18 (b) There shall be a Department of Juvenile Justice which
19 shall be administered by a Director appointed by the Governor
20 under the Civil Administrative Code of Illinois. The Department
21 of Juvenile Justice shall be responsible for all persons
22 committed to the Department of Corrections under Section 5-8-6
23 of this Code, Section 5-10 of the Juvenile Court Act, or
24 Section 5-750 of the Juvenile Court Act of 1987. Youth

1 committed to the Department of Juvenile Justice pursuant to
2 this Code shall be sight and sound separate from youth
3 committed to the Department of Juvenile Justice pursuant to the
4 Juvenile Court Act. ~~There shall be a Juvenile Division within~~
5 ~~the Department which shall be administered by an Assistant~~
6 ~~Director appointed by the Governor under The Civil~~
7 ~~Administrative Code of Illinois. The Assistant Director shall~~
8 ~~be under the direction of the Director. The Juvenile Division~~
9 ~~shall be responsible for all persons committed to the Juvenile~~
10 ~~Division of the Department under Section 5-8-6 of this Code or~~
11 ~~Section 5-10 of the Juvenile Court Act or Section 5-750 of the~~
12 ~~Juvenile Court Act of 1987.~~

13 Department of Juvenile Justice personnel who are first
14 employed by the Department after January 1, 2006 and who
15 provide counseling, educational, vocational, or treatment
16 services directly to juveniles must be over the age of 21 and
17 have graduated from an accredited 4-year college or university
18 with a specialization in criminal justice, education,
19 psychology, sociology, social work, or a closely related social
20 science. Work experience in a residential treatment program
21 that includes supervision or counseling of troubled youth
22 between 10 and 17 years of age may be substituted on a
23 year-for-year basis for the stated education specialization
24 requirement.

25 (c) The Department shall create a gang intelligence unit
26 under the supervision of the Director. The unit shall be
27 specifically designed to gather information regarding the
28 inmate gang population, monitor the activities of gangs, and
29 prevent the furtherance of gang activities through the
30 development and implementation of policies aimed at deterring
31 gang activity. The Director shall appoint a Corrections
32 Intelligence Coordinator.

33 All information collected and maintained by the unit shall
34 be highly confidential, and access to that information shall be

1 restricted by the Department. The information shall be used to
2 control and limit the activities of gangs within correctional
3 institutions under the jurisdiction of the Illinois Department
4 of Corrections and may be shared with other law enforcement
5 agencies in order to curb gang activities outside of
6 correctional institutions under the jurisdiction of the
7 Department and to assist in the investigations and prosecutions
8 of gang activity. The Department shall establish and promulgate
9 rules governing the release of information to outside law
10 enforcement agencies. Due to the highly sensitive nature of the
11 information, the information is exempt from requests for
12 disclosure under the Freedom of Information Act as the
13 information contained is highly confidential and may be harmful
14 if disclosed.

15 The Department shall file an annual report with the General
16 Assembly on the profile of the inmate population associated
17 with gangs, gang-related activity within correctional
18 institutions under the jurisdiction of the Department, and an
19 overall status of the unit as it relates to its function and
20 performance.

21 (Source: P.A. 90-590, eff. 1-1-99; 91-912, eff. 7-7-00.)

22 (730 ILCS 5/3-2-5.1 new)

23 Sec. 3-2-5.1. Department of Juvenile Justice Transition
24 Plan.

25 The Department of Juvenile Justice shall assume the rights,
26 powers, duties, and responsibilities of the Juvenile Division
27 of the Department of Corrections. Personnel, books, records,
28 property, and unencumbered appropriations pertaining to the
29 Juvenile Division of the Department of Corrections shall be
30 transferred to the Department of Juvenile Justice, effective
31 January 1, 2006. Any rights of employees or the State under the
32 Personnel Code or any other contract or plan shall be
33 unaffected by this transfer.

1 Section 99. Effective date. This Act takes effect January
2 1, 2006.".