

1 AN ACT in relation to 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
5 by changing Section 3-15-3 and adding Section 3-15-4 as
6 follows:

7 (730 ILCS 5/3-15-3) (from Ch. 38, par. 1003-15-3)

8 Sec. 3-15-3. Persons with mental illness and
9 developmental disabilities.

10 (a) The Department must, may by rule, establish
11 standards and procedures for the provision of mental health
12 and developmental disability services to persons with mental
13 illness and persons with a developmental disability confined
14 in a local jail or juvenile detention facility as set forth
15 under Section 3-7-7 of this Code.

16 Those standards and procedures must address screening and
17 classification, the use of psychotropic medications, suicide
18 prevention, qualifications of staff, staffing levels, staff
19 training, discharge, linkage and aftercare, the
20 confidentiality of mental health records, and such other
21 issues as are necessary to ensure that inmates with mental
22 illness receive adequate and humane care and services.

23 (b) At least once each year, the Department must inspect
24 each local jail and juvenile detention facility for
25 compliance with the standards and procedures established. The
26 results of the inspection must be made available by the
27 Department for public inspection. If any jail or juvenile
28 detention facility does not comply with the standards and
29 procedures established, the Director of Corrections must give
30 notice to the county board and the sheriff of such
31 noncompliance, specifying the particular standards and

1 procedures that have not been met by the jail or juvenile
 2 detention facility. If the jail or juvenile detention
 3 facility is not in compliance with the standards and
 4 procedures when 6 months have elapsed from the giving of such
 5 notice, the Director of Corrections may petition the
 6 appropriate court for an order requiring the jail or juvenile
 7 detention facility to comply with the standards and
 8 procedures established by the Department or for other
 9 appropriate relief.

10 (Source: P.A. 88-380.)

11 (730 ILCS 5/3-15-4 new)

12 Sec. 3-15-4. Task force on mental health services in
 13 municipal jails and lockups.

14 (a) The Department of Corrections shall convene a
 15 special task force to develop and propose model standards for
 16 the delivery of mental health services and the prevention of
 17 suicides in municipal jails and lockups. The task force
 18 shall be composed of no more than 22 members appointed by the
 19 Director of Corrections as follows:

20 (1) Not more than 8 members representing
 21 municipalities.

22 (2) Not more than 8 members representing community
 23 mental health service providers and State operated and
 24 private psychiatric hospitals, including no more than 3
 25 representatives of the Office of Mental Health,
 26 Department of Human Services.

27 (3) Three members of the general public, at least
 28 one of whom must be a primary consumer of mental health
 29 services.

30 (4) Not more than 3 representatives of the
 31 following groups: the National Commission on Correctional
 32 Health Care, the American Correctional Association, the
 33 Joint Commission on the Accreditation of Health Care

1 Organizations, the American Association of Correctional
2 Psychology, the John Howard Association.

3 The Director of Corrections shall in appointing the task
4 force attempt to ensure that the membership on the task force
5 represents the geographic diversity of the State.

6 (b) The members of the task force shall serve without
7 compensation and may not receive reimbursement for any
8 expenses incurred in performing their duties as members of
9 the task force.

10 (c) The task force may, without limitation, (i)
11 determine what services and screening should be provided in
12 municipal pre-trial detention facilities and what training
13 and resources are necessary to provide those services and
14 (ii) recommend changes in the Department's standards for
15 municipal jails and lockups.

16 (d) Before the Department acts upon any recommendation
17 of the task force, the Department must hold a public hearing
18 to provide individuals with mental illnesses and their family
19 members, mental health advocacy organizations, and the public
20 to review, comment upon, and suggest any changes to the
21 proposed standards for municipal jails and lockups.

22 (e) The task force must submit its recommendations as to
23 any changes in the standards for municipal jails and lockups
24 to the General Assembly by January 15, 2002.

25 Section 99. Effective date. This Section and Section
26 3-15-4 of the Unified Code of Corrections take effect upon
27 becoming law.