

Joint Committee on Administrative Rules
ADMINISTRATIVE CODE

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER I: DEPARTMENT OF CORRECTIONS
SUBCHAPTER f: COUNTY STANDARDS
PART 701 COUNTY JAIL STANDARDS
SECTION 701.60 RELEASE PROCEDURES

Section 701.60 Release Procedures

- a) Identification
 - 1) Positive detainee identification shall be made by the releasing officer before discharge, transfer or release is effected.
 - 2) When a detainee is discharged or is released to the custody of another, a record shall be made of the date, time and the authority.
- b) Physical Inspection

Prior to final release or discharge, each detainee shall receive a physical inspection by a person of the same gender, when possible, and a record shall be made of any wounds or injuries.
- c) Contraband

Detainees being discharged, released or transferred shall be searched by a person of the same gender to prevent detainees from taking property that does not belong to them or other items of contraband as defined in Article 31A of the Criminal Code of 2012 [720 ILCS 5/Art. 31A].
- d) Personal Property

All personal property and funds inventoried at the time of admission or added during the period of confinement and not transferred to a third party or expended during confinement, other than those legally confiscated, shall be returned to the detainee upon release.

 - 1) Items shall be carefully inventoried, or otherwise accounted for, with the releasing officer and the detainee signing the inventory form.
 - 2) A record of any maintenance medication, including the amount, released with an offender shall be documented.
 - 3) A copy of the itemized and signed receipt shall be maintained by the jail as a permanent record.
 - 4) Personal property of the detainee being transferred to another facility shall

be inventoried and items to be transferred with the detainee shall be documented and turned over to the transporting officer in the presence of the detainee. Personal property allowed by the receiving facility shall be transferred with the detainee. Items not transferred shall be disposed of by the transferring facility in accordance with its procedures, for example, having a relative pick up items, mailing items to a person designated by the detainee, etc.

e) Discharge of Mentally Ill Detainees

- 1) When a mentally ill detainee is released, he or she shall be given a listing of community mental health resource addresses and telephone numbers and provided with the opportunity to receive a copy of the jail's mental health, medical and medication records.
- 2) Linkage and after care may include a referral to a mental health provider, a prescription for medications, or a two week supply of prescribed medications.

f) Transfers to the Illinois Department of Corrections

Pursuant to Sections 3-8-1 and 5-4-1 of the Unified Code of Corrections [730 ILCS 5/3-8-1 and 5-4-1], when a detainee is delivered to the custody of the Department, the following information must be included with the items delivered:

- 1) *The sentence imposed.*
- 2) *Any findings of great bodily harm made by the court.*
- 3) *Any statement by the court on the basis for imposing the sentence.*
- 4) *Any presentence reports.*
- 5) *Any sex offender evaluations.*
- 6) *Any substance abuse treatment eligibility screening and assessment of the detainee by an agent designated by the State to provide assessments for Illinois courts.*
- 7) *The number of days, if any, which the detainee has been in custody and for which he or she is entitled to credit against the sentence. Certification of jail credit time shall include any time served in the custody of the Illinois Department of Human Services-Division of Mental Health or Division of Developmental Disabilities, time served in another state or federal jurisdiction and any time served while on probation or periodic imprisonment.*
- 8) *State's attorney's statement of facts, including the facts and circumstances of the offenses for which the detainee was committed, any other factual information accessible to the State's Attorney prior to the commitment to the Department relative to the detainee's habits, associates, disposition and reputation or other information that may aid the Department during the*

custody of the detainee. If the statement is unavailable at the time of delivery, the statement must be transmitted within 10 days after receipt by the clerk of the court.

- 9) *Any medical or mental health records or summaries.*
- 10) *Any victim impact statements.*
- 11) *Name of municipalities where the arrest of the detainee and the commission of the offense occurred, if the municipality has a population of more than 25,000 persons.*
- 12) *All additional matters that the court directs the clerk to transmit.*
- 13) *The mittimus or sentence (judgment) order that provides the following information:*
 - A) *The criminal case number, names and citations of the offenses, judge's name, date of sentence and, where applicable, whether the sentences are to be served concurrently or consecutively;*
 - B) *The number of days spent in custody; and*
 - C) *If applicable, the calculation of pre-trial program sentence credit awarded by the court to the detainee, including, at a minimum, identification of the type of pre-trial program the detainee participated in and the number of eligible days the court finds the detainee spent in the pre-trial program multiplied by the calculation factor of 0.5 for the total court-awarded credit.*
- 14) *A record of the detainee's time and his or her behavior and conduct while in the custody of the county. Any action on the part of the detainee that might affect his or her security status with the Department, including, but not limited to, an escape attempt, participation in a riot, or a suicide attempt should be included in the record.*

(Source: Amended at 38 Ill. Reg. 18859, effective October 1, 2014)