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SPRINGFIELD, IL -- Senator Bill Haine (D-Alton) passed a measure on the Senate floor today giving corrections officials direct access to a prisoner's mental health records necessary to evaluate commitment status.

State law requires the Department of Corrections and the Department of Juvenile Justice to complete a thorough evaluation of a prisoner's mental condition to determine commitment status under the Sexually Violent Persons Commitment Act. However, mental health records may only be disclosed to the Attorney General, the State's Attorney, the Department of Human Services, the Court or a party the Court directs the disclosure to be made to. In order to obtain needed records, Department of Corrections and the Department of Juvenile Justice officials have had to issue a request to the Attorney General's office to intervene. Senate Bill 2561 gives Department of Corrections and the Department of Juvenile Justice direct access to these records.

"With this bill, we make sure that Corrections officials have the information they need to complete their duties prescribed by law," Haine said. "This will speed up the evaluation process as it allows officials to dedicate more time to evaluations and less time on navigating through red tape."

The Sexually Violent Persons Commitment Act became law in 1998 and established evaluation criteria for prisoners who may be sexually violent. If found to be a sexually violent person, the prisoner is committed to high security quarters and undergoes periodic reevaluation. A sexually violent person may be held in commitment beyond their prison term until found to no longer be considered sexually violent. In 2010, the U. S. Supreme Court ruled in *U.S. v. Comstock* that a similar provision in the federal Adam Walsh Child Protection and Safety Act of 2006 was constitutional.

Former Attorney General Jim Ryan brought forth one of the very first cases, *McCabe v. Budz* (1999), under this Act in Madison County. Haine was the Madison County State's Attorney at the time and his office worked directly with the Attorney General to prosecute the case.

"Through the tireless work of the Attorney General and State's Attorneys, this law remains an effective force in keeping some of the worst offenders off our streets," Haine stated. "The Act has kept dangerous sexual predators under lock and key for many years and continues to protect our communities."

Senate Bill 2561 now heads to the House for consideration.