

ILLINOIS DEPARTMENT OF CORRECTIONS

APPENDIX B  
STATE MANDATES ACT QUESTIONNAIRE

Agency: Illinois Department of Corrections

Part/Title: Rights and Privileges (20 Ill. Adm. Code 525)

Illinois Register Citation: 49 Ill. Reg. 12567; October 10, 2025. Issue 41.

1. Does this rulemaking affect any of the following:

<input type="checkbox"/> Municipality	<input type="checkbox"/> Other Unit of Local Govt.
<input checked="" type="checkbox"/> County	<input type="checkbox"/> School District ( <i>also schools</i> )
<input type="checkbox"/> Township	<input type="checkbox"/> Community College Dist.

2. Does this rule require any of the above entities to establish, expand, or modify its activities in such a way as to necessitate additional expenditures from local revenues?

Yes ☒ No ☐ Number of units affected: *102 Counties*

If yes, please estimate the amount of additional expenditures necessitated by this rulemaking per unit of government:

Note: If the dollar amount or total number of units affected is unknown, please outline and attach to this form an explanation of the steps taken by the agency to determine the approximate expense of the rulemaking and the number of units affected.

If no, please explain why the rule does not necessitate such additional expenditures.

*Any modification of an entity's activities would involve use of the Department's multi-factor authentication system for privileged mail. This includes registration of appropriate staff and following Department policies and guidance on use of the system.*

*Exact costs cannot be quantitatively estimated at this stage however, the Department does recognize that entities who frequently send large amounts of privileged mail to individuals in custody may incur some administrative costs associated with training staff and utilizing the system such as, registering in the multi-factor authentication website and requesting control numbers.*

*The Department anticipates that cost will be minimal however, the Department is fully committed to working directly with any entity to alleviate prohibitive costs and to ensure they do not exceed the current cost to process mail. Opportunities to reduce potential administrative costs and lessen the burden include, but are not limited to, collaborating with the entity to expand control number "batching" options and ensuring proactive communication between the Department and entity to better prepare for and streamline large amounts of legal correspondence, which will further facilitate processing and reduce labor hours.*

3. Were any alternatives that do not necessitate additional expenditures considered?

Yes ☐ No ☒ N/A ☐

If yes, please list these alternatives and explain why they were rejected.

4. What are the policy objectives of the rulemaking? (Please be specific).

# ILLINOIS DEPARTMENT OF CORRECTIONS

## APPENDIX B STATE MANDATES ACT QUESTIONNAIRE

*The Department is committed to enhancing the integrity of safety and security within the correctional system, which strengthens safety of the general public. Preventing contraband is a well-known challenge. With the evolution of technology and deceptive ingenuity, smuggling tactics have grown, and it is the Department's responsibility to continuously explore ways to combat the problem. Ways of smuggling contraband into the facility include, but are not limited to, bringing it in within a body cavity or clothing during in-person visitation and dropping it over the security perimeter fencing via drone. Additionally, examples of smuggling in contraband through the mail and within publications include, but are not limited to:*

- *Letters and magazines sprayed or soaked in intoxicating and hazardous substances.*
- *Books with weapons hidden inside.*
- *Mail with hidden communications commonly used to aid in escape or for purposes of targeting or assaulting other individuals in custody and staff.*
- *Books with electronic devices such as, cell phones, chargers, and wireless headsets hidden inside.*

*The policy objective of rulemaking is to combat contraband from entering Department facilities through the mail and through “gate dropped” publications. By leveraging technological security measures and requiring that publications come only from a “publisher” as defined by rule, the Department will be further capable of addressing this major public safety issue.*

5. Please explain why the policy objectives of this rule cannot be achieved in the absence of the rule or through a rule that does not create a State Mandate.

*5 ILCS 100/5-20 states each “rule that implements a discretionary power to be exercised by an agency shall include the standards by which the agency shall exercise the power. The standards shall be stated as precisely and clearly as practicable under the conditions to inform fully those persons affected.” The Department is expressly granted statutory authority “to accept persons committed to it by the courts of this State for care, custody, treatment, and rehabilitation . . .” 730 ILCS 5/3-2-2-2(1)(a). The Department is further granted the power to regulate incoming and outgoing mail and items for all institutions and facilities. 730 ILCS 5/3-7-2(e); see 730 ILCS 5/3-2-2(1)(t) and 730 ILCS 5/3-8-7.5.*

*Within the above discretionary powers is an implied authority to safely house and care for the individual in custody population by preventing the introduction of contraband. A rule is necessary to further implement these discretionary powers and requires standards “to be stated as precisely and clearly as practicable under the conditions to fully inform those persons affected.” Here, those persons affected by the rule are individuals in custody, the public, and groups of varying interests who communicate with them by mail on a daily basis.*