

1 AN ACT concerning county sheriffs.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The County Jail Act is amended by adding
5 Section 19.5 as follows:

6 (730 ILCS 125/19.5 new)

7 Sec. 19.5. Release of prisoners to law enforcement
8 personnel or State's Attorney. The sheriff may adopt and
9 implement a written policy that provides for the release of a
10 person who is in the custody of the sheriff for any criminal
11 or supposed criminal matter to sworn law enforcement
12 personnel or to the State's Attorney for the purpose of
13 furthering investigations into criminal matters that are
14 unrelated to the criminal matter for which the person is held
15 in custody. The written policy must, at a minimum, require
16 that there be a written request, signed by an authorized
17 agent of the law enforcement agency or State's Attorney
18 office, to take custody of the prisoner and that the written
19 request shall include the name of the individual authorized
20 to take custody of the prisoner, the purpose and scope of the
21 criminal matter under investigation, and a statement of the
22 fact that the individual taking custody and agency they are
23 employed by understand the limitation of the sheriff's
24 liability as described in this Act. Upon the release of a
25 person to law enforcement personnel or the State's Attorney
26 under written policy of the sheriff, the sheriff shall not be
27 liable for any injury of any kind, including but not limited
28 to death, to either the person released or to any third party
29 that occurs during the time period that the person is in
30 custody of other law enforcement personnel or the State's
31 Attorney unless the sheriff or a deputy sheriff, correctional

1 guard, lockup keeper, or county employee is guilty of willful
2 and wanton conduct that proximately caused the injury.

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.