

prefer charges and recommend to the Governor the removal of the Director.]

[(e)] (b) No surgical operation shall be performed as treatment of any defective delinquent except as authorized by the approval of the Advisory Board and also by the written consent of the defective delinquent, his nearest relative, or the order of the court.

5.

For the purposes of this article, a defective delinquent shall be defined as an individual who, by the demonstration of persistent aggravated anti-social or criminal behavior, evidences a propensity toward criminal activity, and who is found to have either such intellectual deficiency or emotional unbalance, or both, as to clearly demonstrate an actual danger to society so as to require such confinement and treatment, when appropriate, as may make it reasonably safe for society to terminate the confinement and treatment.

6.

(a) A request may be made that a person be examined for possible defective delinquency if he has been convicted and sentenced in a court of this State for a crime or offense *committed on or after June 1, 1954*, coming under one or more of the following categories: (1) a felony; (2) a misdemeanor punishable by imprisonment in the penitentiary; (3) a crime of violence; (4) a sex crime involving: (A) physical force or violence, (B) disparity of age between an adult and a minor, or (C) a sexual act of an uncontrolled and/or repetitive nature; (5) two or more convictions for any offenses or crimes punishable by imprisonment, in a criminal court of this State. *A person convicted and sentenced for a crime or offense within one of the categories listed above in this sub-section 6(a), except that such crime or offense was committed before June 1, 1954, shall be subject to this article with the same effect as if said crime or offense had been committed after June 1, 1954, if after said date such person is adjudged to have broken the terms of any parole or probation on which he has been released from said sentence.*

(b) The request for such examination may be made by *the Department of Correction (acting through the Superintendent of Prisons if it sees fit to do so)* or by the State's Attorney or assistant State's Attorney who prosecuted the person for a crime or offense specified hereinabove in this section, [or] on any knowledge or suspicion of the presence of defective delinquency in [the defendant in such case] *such person.* [The defendant] *Such person* himself, or his attorney in his behalf, may make such a request of the court. Whenever a request for examination comes from any such source the court may order such person to be examined by the institution for defective delinquents to ascertain if he or she is a defective delinquent. The court also may make such an order on its own initiative. A copy of any order for examination shall be served upon the person to be examined.

(c) Such an examination may be requested and made at any time after the person has been convicted and sentenced for a crime or offense specified hereinabove in this section, provided that the said person has been sentenced to a period of confinement in a penal institution or is then serving such a sentence. No such examination shall