1   AN ACT concerning criminal law.

2   **Be it enacted by the People of the State of Illinois,**

3   **represented in the General Assembly:**

4   Section 5. The Unified Code of Corrections is amended by

5 changing Section 3-3-5 as follows:

6   (730 ILCS 5/3-3-5) (from Ch. 38, par. 1003-3-5)

7   Sec. 3-3-5. Hearing and Determination.

8   (a) The Prisoner Review Board shall meet as often as need

9 requires to consider the cases of persons eligible for parole.

10 Except as otherwise provided in paragraph (2) of subsection (a)

11 of Section 3-3-2 of this Act, the Prisoner Review Board may

12 meet and order its actions in panels of 3 or more members. The

13 action of a majority of the panel shall be the action of the

14 Board. In consideration of persons committed to the Department

15 of Juvenile Justice, the panel shall have at least a majority

16 of members experienced in juvenile matters.

17   (b) If the person under consideration for parole is in the

18 custody of the Department, at least one member of the Board

19 shall interview him, and a report of that interview shall be

20 available for the Board's consideration. However, in the

21 discretion of the Board, the interview need not be conducted if

22 a psychiatric examination determines that the person could not

23 meaningfully contribute to the Board's consideration. The

1   Board may in its discretion parole a person who is then outside

2   the jurisdiction on his record without an interview. The Board

3   need not hold a hearing or interview a person who is paroled

4   under paragraphs (d) or (e) of this Section or released on

5   Mandatory release under Section 3-3-10.

6   (c) The Board shall not parole a person eligible for parole

7   if it determines that:

8   (1) there is a substantial risk that he will not

9   conform to reasonable conditions of parole; or

10   (2) his release at that time would deprecate the

11   seriousness of his offense or promote disrespect for the

12   law; or

13   (3) his release would have a substantially adverse

14   effect on institutional discipline.

15   (d) A person committed under the Juvenile Court Act or the

16   Juvenile Court Act of 1987 who has not been sooner released

17   shall be paroled on or before his 20th birthday to begin

18   serving a period of parole under Section 3-3-8.

19   (e) A person who has served the maximum term of

20   imprisonment imposed at the time of sentencing less time credit

21   for good behavior shall be released on parole to serve a period

22   of parole under Section 5-8-1.

23   (f) The Board shall render its decision within a reasonable

24   time after hearing and shall state the basis therefor both in

25   the records of the Board and in written notice to the person on

26   whose application it has acted. In its decision, the Board

1   shall set the person's time for parole, or if it denies parole

2   it shall provide for a rehearing not less frequently than once

3   every year, except that the Board may, after denying parole,

4   schedule a rehearing no later than 5 3 years from the date of

5   the parole denial, if the Board finds that it is not reasonable

6   to expect that parole would be granted at a hearing prior to

7   the scheduled rehearing date. If the Board shall parole a

8   person, and, if he is not released within 90 days from the

9   effective date of the order granting parole, the matter shall

10   be returned to the Board for review.

11   (g) The Board shall maintain a registry of decisions in

12   which parole has been granted, which shall include the name and

13   case number of the prisoner, the highest charge for which the

14   prisoner was sentenced, the length of sentence imposed, the

15   date of the sentence, the date of the parole, and the basis for

16   the decision of the Board to grant parole and the vote of the

17   Board on any such decisions. The registry shall be made

18   available for public inspection and copying during business

19   hours and shall be a public record pursuant to the provisions

20   of the Freedom of Information Act.

21   (h) The Board shall promulgate rules regarding the exercise

22   of its discretion under this Section.

23   (Source: P.A. 96-875, eff. 1-22-10.)