

**104TH GENERAL ASSEMBLY****State of Illinois****2025 and 2026****SB0019**

Introduced 1/13/2025, by Sen. Don Harmon

SYNOPSIS AS INTRODUCED:

See Index

Amends the Judges Article of the Illinois Pension Code. Specifies that a person who serves as a full-time member of the Prisoner Review Board does not violate the Code's return-to-work provisions on the basis of service on the Prisoner Review Board. Amends the Rights of Crime Victims and Witnesses Act. Provides that persons who have final, plenary, or non-emergency protective orders granted against the petitioner or parole candidate may submit victim statements. Provides that the Prisoner Review Board shall publish on its official website, and provide to registered victims, procedural information on how to submit victim statements. Amends the Unified Code of Corrections. Provides that the Prisoner Review Board may contain members who have experience in advocacy for victims of crime and their families, advocacy for survivors of domestic violence, sexual violence, or intimate partner violence. Provides that at least 3 members of the Board (currently, 6) must have at least 3 years experience in the field of juvenile matters. Provides that a total of 7 members must have at least 5 years' experience as a law enforcement officer, parole officer, prosecutor, criminal defense attorney, or judge. Contains provisions concerning training for members and commissioners of the Prisoner Review Board. Makes changes concerning factors to be considered by the Board in deciding whether to grant or deny parole. Provides that, prior to entering an order discharging a person from parole or mandatory supervised release, the Prisoner Review Board shall provide notice and a 30-day opportunity to comment to any registered victim. Requires the Department of Corrections to prepare a report describing whether the subject has completed the mandatory conditions of parole or mandatory supervised release. Contains provisions concerning LEADS reports. Provides that all petitioners for clemency and medical release and all candidates for parole appearing before the Prisoner Review Board shall be afforded the opportunity to appear in person or via interactive video teleconference. Makes other changes. Effective immediately.

LRB104 08032 JDS 18078 b

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 3. The Illinois Pension Code is amended by
5 changing Section 18-127 as follows:

6 (40 ILCS 5/18-127) (from Ch. 108 1/2, par. 18-127)

7 Sec. 18-127. Retirement annuity - suspension on
8 reemployment.

9 (a) A participant receiving a retirement annuity who is
10 regularly employed for compensation by an employer other than
11 a county, in any capacity, shall have his or her retirement
12 annuity payments suspended during such employment. Upon
13 termination of such employment, retirement annuity payments at
14 the previous rate shall be resumed.

15 If such a participant resumes service as a judge, he or she
16 shall receive credit for any additional service. Upon
17 subsequent retirement, his or her retirement annuity shall be
18 the amount previously granted, plus the amount earned by the
19 additional judicial service under the provisions in effect
20 during the period of such additional service. However, if the
21 participant was receiving the maximum rate of annuity at the
22 time of re-employment, he or she may elect, in a written
23 direction filed with the board, not to receive any additional

1 service credit during the period of re-employment. In such
2 case, contributions shall not be required during the period of
3 re-employment. Any such election shall be irrevocable.

4 (b) Beginning January 1, 1991, any participant receiving a
5 retirement annuity who accepts temporary employment from an
6 employer other than a county for a period not exceeding 75
7 working days in any calendar year shall not be deemed to be
8 regularly employed for compensation or to have resumed service
9 as a judge for the purposes of this Article. A day shall be
10 considered a working day if the annuitant performs on it any of
11 his duties under the temporary employment agreement.

12 (c) Except as provided in subsection (a), beginning
13 January 1, 1993, retirement annuities shall not be subject to
14 suspension upon resumption of employment for an employer, and
15 any retirement annuity that is then so suspended shall be
16 reinstated on that date.

17 (d) The changes made in this Section by this amendatory
18 Act of 1993 shall apply to judges no longer in service on its
19 effective date, as well as to judges serving on or after that
20 date.

21 (e) A participant receiving a retirement annuity under
22 this Article who serves as a part-time employee in any of the
23 following positions: Legislative Inspector General, Special
24 Legislative Inspector General, employee of the Office of the
25 Legislative Inspector General, Executive Director of the
26 Legislative Ethics Commission, ~~or~~ staff of the Legislative

1 Ethics Commission, or as a full-time member of the Prisoner
2 Review Board, but has not elected to participate in the
3 Article 14 System with respect to that service, shall not be
4 deemed to be regularly employed for compensation by an
5 employer other than a county, nor to have resumed service as a
6 judge, on the basis of that service, and the retirement
7 annuity payments and other benefits of that person under this
8 Code shall not be suspended, diminished, or otherwise impaired
9 solely as a consequence of that service. This subsection (e)
10 applies without regard to whether the person is in service as a
11 judge under this Article on or after the effective date of this
12 amendatory Act of the 93rd General Assembly. In this
13 subsection, a "part-time employee" is a person who is not
14 required to work at least 35 hours per week.

15 (f) A participant receiving a retirement annuity under
16 this Article who has made an election under Section 1-123 and
17 who is serving either as legal counsel in the Office of the
18 Governor or as Chief Deputy Attorney General shall not be
19 deemed to be regularly employed for compensation by an
20 employer other than a county, nor to have resumed service as a
21 judge, on the basis of that service, and the retirement
22 annuity payments and other benefits of that person under this
23 Code shall not be suspended, diminished, or otherwise impaired
24 solely as a consequence of that service. This subsection (f)
25 applies without regard to whether the person is in service as a
26 judge under this Article on or after the effective date of this

1 amendatory Act of the 93rd General Assembly.

2 (g) Notwithstanding any other provision of this Article,
3 if a person who first becomes a participant under this System
4 on or after January 1, 2011 (the effective date of this
5 amendatory Act of the 96th General Assembly) is receiving a
6 retirement annuity under this Article and becomes a member or
7 participant under this Article or any other Article of this
8 Code and is employed on a full-time basis, then the person's
9 retirement annuity under this System shall be suspended during
10 that employment. Upon termination of that employment, the
11 person's retirement annuity shall resume and, if appropriate,
12 be recalculated under the applicable provisions of this
13 Article.

14 (Source: P.A. 96-889, eff. 1-1-11; 96-1490, eff. 1-1-11.)

15 Section 5. The Rights of Crime Victims and Witnesses Act
16 is amended by changing Sections 4.5 and 5 as follows:

17 (725 ILCS 120/4.5)

18 Sec. 4.5. Procedures to implement the rights of crime
19 victims. To afford crime victims their rights, law
20 enforcement, prosecutors, judges, and corrections will provide
21 information, as appropriate, of the following procedures:

22 (a) At the request of the crime victim, law enforcement
23 authorities investigating the case shall provide notice of the
24 status of the investigation, except where the State's Attorney

1 determines that disclosure of such information would
2 unreasonably interfere with the investigation, until such time
3 as the alleged assailant is apprehended or the investigation
4 is closed.

5 (a-5) When law enforcement authorities reopen a closed
6 case to resume investigating, they shall provide notice of the
7 reopening of the case, except where the State's Attorney
8 determines that disclosure of such information would
9 unreasonably interfere with the investigation.

10 (a-6) The Prisoner Review Board shall publish on its
11 official public website and provide to registered victims
12 information regarding how to submit a victim impact statement.
13 The Prisoner Review Board shall consider victim impact
14 statements from any registered victims. Any registered victim,
15 including a person who has had a final, plenary, or
16 non-emergency order of protection granted under Article 112A
17 of the Code of Criminal Procedure of 1963 or under the Illinois
18 Domestic Violence Act of 1986, may present victim statements
19 that the Prisoner Review Board shall consider in its
20 deliberations.

21 (b) The office of the State's Attorney:

22 (1) shall provide notice of the filing of an
23 information, the return of an indictment, or the filing of
24 a petition to adjudicate a minor as a delinquent for a
25 violent crime;

26 (2) shall provide timely notice of the date, time, and

1 place of court proceedings; of any change in the date,
2 time, and place of court proceedings; and of any
3 cancellation of court proceedings. Notice shall be
4 provided in sufficient time, wherever possible, for the
5 victim to make arrangements to attend or to prevent an
6 unnecessary appearance at court proceedings;

7 (3) or victim advocate personnel shall provide
8 information of social services and financial assistance
9 available for victims of crime, including information of
10 how to apply for these services and assistance;

11 (3.5) or victim advocate personnel shall provide
12 information about available victim services, including
13 referrals to programs, counselors, and agencies that
14 assist a victim to deal with trauma, loss, and grief;

15 (4) shall assist in having any stolen or other
16 personal property held by law enforcement authorities for
17 evidentiary or other purposes returned as expeditiously as
18 possible, pursuant to the procedures set out in Section
19 115-9 of the Code of Criminal Procedure of 1963;

20 (5) or victim advocate personnel shall provide
21 appropriate employer intercession services to ensure that
22 employers of victims will cooperate with the criminal
23 justice system in order to minimize an employee's loss of
24 pay and other benefits resulting from court appearances;

25 (6) shall provide, whenever possible, a secure waiting
26 area during court proceedings that does not require

1 victims to be in close proximity to defendants or
2 juveniles accused of a violent crime, and their families
3 and friends;

4 (7) shall provide notice to the crime victim of the
5 right to have a translator present at all court
6 proceedings and, in compliance with the federal Americans
7 with Disabilities Act of 1990, the right to communications
8 access through a sign language interpreter or by other
9 means;

10 (8) (blank);

11 (8.5) shall inform the victim of the right to be
12 present at all court proceedings, unless the victim is to
13 testify and the court determines that the victim's
14 testimony would be materially affected if the victim hears
15 other testimony at trial;

16 (9) shall inform the victim of the right to have
17 present at all court proceedings, subject to the rules of
18 evidence and confidentiality, an advocate and other
19 support person of the victim's choice;

20 (9.3) shall inform the victim of the right to retain
21 an attorney, at the victim's own expense, who, upon
22 written notice filed with the clerk of the court and
23 State's Attorney, is to receive copies of all notices,
24 motions, and court orders filed thereafter in the case, in
25 the same manner as if the victim were a named party in the
26 case;

1 (9.5) shall inform the victim of (A) the victim's
2 right under Section 6 of this Act to make a statement at
3 the sentencing hearing; (B) the right of the victim's
4 spouse, guardian, parent, grandparent, and other immediate
5 family and household members under Section 6 of this Act
6 to present a statement at sentencing; and (C) if a
7 presentence report is to be prepared, the right of the
8 victim's spouse, guardian, parent, grandparent, and other
9 immediate family and household members to submit
10 information to the preparer of the presentence report
11 about the effect the offense has had on the victim and the
12 person;

13 (10) at the sentencing shall make a good faith attempt
14 to explain the minimum amount of time during which the
15 defendant may actually be physically imprisoned. The
16 Office of the State's Attorney shall further notify the
17 crime victim of the right to request from the Prisoner
18 Review Board or Department of Juvenile Justice information
19 concerning the release of the defendant;

20 (11) shall request restitution at sentencing and as
21 part of a plea agreement if the victim requests
22 restitution;

23 (12) shall, upon the court entering a verdict of not
24 guilty by reason of insanity, inform the victim of the
25 notification services available from the Department of
26 Human Services, including the statewide telephone number,

1 under subparagraph (d) (2) of this Section;

2 (13) shall provide notice within a reasonable time
3 after receipt of notice from the custodian, of the release
4 of the defendant on pretrial release or personal
5 recognizance or the release from detention of a minor who
6 has been detained;

7 (14) shall explain in nontechnical language the
8 details of any plea or verdict of a defendant, or any
9 adjudication of a juvenile as a delinquent;

10 (15) shall make all reasonable efforts to consult with
11 the crime victim before the Office of the State's Attorney
12 makes an offer of a plea bargain to the defendant or enters
13 into negotiations with the defendant concerning a possible
14 plea agreement, and shall consider the written statement,
15 if prepared prior to entering into a plea agreement. The
16 right to consult with the prosecutor does not include the
17 right to veto a plea agreement or to insist the case go to
18 trial. If the State's Attorney has not consulted with the
19 victim prior to making an offer or entering into plea
20 negotiations with the defendant, the Office of the State's
21 Attorney shall notify the victim of the offer or the
22 negotiations within 2 business days and confer with the
23 victim;

24 (16) shall provide notice of the ultimate disposition
25 of the cases arising from an indictment or an information,
26 or a petition to have a juvenile adjudicated as a

1 delinquent for a violent crime;

2 (17) shall provide notice of any appeal taken by the
3 defendant and information on how to contact the
4 appropriate agency handling the appeal, and how to request
5 notice of any hearing, oral argument, or decision of an
6 appellate court;

7 (18) shall provide timely notice of any request for
8 post-conviction review filed by the defendant under
9 Article 122 of the Code of Criminal Procedure of 1963, and
10 of the date, time and place of any hearing concerning the
11 petition. Whenever possible, notice of the hearing shall
12 be given within 48 hours of the court's scheduling of the
13 hearing;

14 (19) shall forward a copy of any statement presented
15 under Section 6 to the Prisoner Review Board or Department
16 of Juvenile Justice to be considered in making a
17 determination under Section 3-2.5-85 or subsection (b) of
18 Section 3-3-8 of the Unified Code of Corrections;

19 (20) shall, within a reasonable time, offer to meet
20 with the crime victim regarding the decision of the
21 State's Attorney not to charge an offense, and shall meet
22 with the victim, if the victim agrees. The victim has a
23 right to have an attorney, advocate, and other support
24 person of the victim's choice attend this meeting with the
25 victim; and

26 (21) shall give the crime victim timely notice of any

1 decision not to pursue charges and consider the safety of
2 the victim when deciding how to give such notice.

3 (c) The court shall ensure that the rights of the victim
4 are afforded.

5 (c-5) The following procedures shall be followed to afford
6 victims the rights guaranteed by Article I, Section 8.1 of the
7 Illinois Constitution:

8 (1) Written notice. A victim may complete a written
9 notice of intent to assert rights on a form prepared by the
10 Office of the Attorney General and provided to the victim
11 by the State's Attorney. The victim may at any time
12 provide a revised written notice to the State's Attorney.
13 The State's Attorney shall file the written notice with
14 the court. At the beginning of any court proceeding in
15 which the right of a victim may be at issue, the court and
16 prosecutor shall review the written notice to determine
17 whether the victim has asserted the right that may be at
18 issue.

19 (2) Victim's retained attorney. A victim's attorney
20 shall file an entry of appearance limited to assertion of
21 the victim's rights. Upon the filing of the entry of
22 appearance and service on the State's Attorney and the
23 defendant, the attorney is to receive copies of all
24 notices, motions and court orders filed thereafter in the
25 case.

26 (3) Standing. The victim has standing to assert the

1 rights enumerated in subsection (a) of Article I, Section
2 8.1 of the Illinois Constitution and the statutory rights
3 under Section 4 of this Act in any court exercising
4 jurisdiction over the criminal case. The prosecuting
5 attorney, a victim, or the victim's retained attorney may
6 assert the victim's rights. The defendant in the criminal
7 case has no standing to assert a right of the victim in any
8 court proceeding, including on appeal.

9 (4) Assertion of and enforcement of rights.

10 (A) The prosecuting attorney shall assert a
11 victim's right or request enforcement of a right by
12 filing a motion or by orally asserting the right or
13 requesting enforcement in open court in the criminal
14 case outside the presence of the jury. The prosecuting
15 attorney shall consult with the victim and the
16 victim's attorney regarding the assertion or
17 enforcement of a right. If the prosecuting attorney
18 decides not to assert or enforce a victim's right, the
19 prosecuting attorney shall notify the victim or the
20 victim's attorney in sufficient time to allow the
21 victim or the victim's attorney to assert the right or
22 to seek enforcement of a right.

23 (B) If the prosecuting attorney elects not to
24 assert a victim's right or to seek enforcement of a
25 right, the victim or the victim's attorney may assert
26 the victim's right or request enforcement of a right

1 by filing a motion or by orally asserting the right or
2 requesting enforcement in open court in the criminal
3 case outside the presence of the jury.

4 (C) If the prosecuting attorney asserts a victim's
5 right or seeks enforcement of a right, unless the
6 prosecuting attorney objects or the trial court does
7 not allow it, the victim or the victim's attorney may
8 be heard regarding the prosecuting attorney's motion
9 or may file a simultaneous motion to assert or request
10 enforcement of the victim's right. If the victim or
11 the victim's attorney was not allowed to be heard at
12 the hearing regarding the prosecuting attorney's
13 motion, and the court denies the prosecuting
14 attorney's assertion of the right or denies the
15 request for enforcement of a right, the victim or
16 victim's attorney may file a motion to assert the
17 victim's right or to request enforcement of the right
18 within 10 days of the court's ruling. The motion need
19 not demonstrate the grounds for a motion for
20 reconsideration. The court shall rule on the merits of
21 the motion.

22 (D) The court shall take up and decide any motion
23 or request asserting or seeking enforcement of a
24 victim's right without delay, unless a specific time
25 period is specified by law or court rule. The reasons
26 for any decision denying the motion or request shall

1 be clearly stated on the record.

2 (E) No later than January 1, 2023, the Office of
3 the Attorney General shall:

4 (i) designate an administrative authority
5 within the Office of the Attorney General to
6 receive and investigate complaints relating to the
7 provision or violation of the rights of a crime
8 victim as described in Article I, Section 8.1 of
9 the Illinois Constitution and in this Act;

10 (ii) create and administer a course of
11 training for employees and offices of the State of
12 Illinois that fail to comply with provisions of
13 Illinois law pertaining to the treatment of crime
14 victims as described in Article I, Section 8.1 of
15 the Illinois Constitution and in this Act as
16 required by the court under Section 5 of this Act;
17 and

18 (iii) have the authority to make
19 recommendations to employees and offices of the
20 State of Illinois to respond more effectively to
21 the needs of crime victims, including regarding
22 the violation of the rights of a crime victim.

23 (F) Crime victims' rights may also be asserted by
24 filing a complaint for mandamus, injunctive, or
25 declaratory relief in the jurisdiction in which the
26 victim's right is being violated or where the crime is

1 being prosecuted. For complaints or motions filed by
2 or on behalf of the victim, the clerk of court shall
3 waive filing fees that would otherwise be owed by the
4 victim for any court filing with the purpose of
5 enforcing crime victims' rights. If the court denies
6 the relief sought by the victim, the reasons for the
7 denial shall be clearly stated on the record in the
8 transcript of the proceedings, in a written opinion,
9 or in the docket entry, and the victim may appeal the
10 circuit court's decision to the appellate court. The
11 court shall issue prompt rulings regarding victims'
12 rights. Proceedings seeking to enforce victims' rights
13 shall not be stayed or subject to unreasonable delay
14 via continuances.

15 (5) Violation of rights and remedies.

16 (A) If the court determines that a victim's right
17 has been violated, the court shall determine the
18 appropriate remedy for the violation of the victim's
19 right by hearing from the victim and the parties,
20 considering all factors relevant to the issue, and
21 then awarding appropriate relief to the victim.

22 (A-5) Consideration of an issue of a substantive
23 nature or an issue that implicates the constitutional
24 or statutory right of a victim at a court proceeding
25 labeled as a status hearing shall constitute a per se
26 violation of a victim's right.

1 (B) The appropriate remedy shall include only
2 actions necessary to provide the victim the right to
3 which the victim was entitled. Remedies may include,
4 but are not limited to: injunctive relief requiring
5 the victim's right to be afforded; declaratory
6 judgment recognizing or clarifying the victim's
7 rights; a writ of mandamus; and may include reopening
8 previously held proceedings; however, in no event
9 shall the court vacate a conviction. Any remedy shall
10 be tailored to provide the victim an appropriate
11 remedy without violating any constitutional right of
12 the defendant. In no event shall the appropriate
13 remedy to the victim be a new trial or damages.

14 The court shall impose a mandatory training course
15 provided by the Attorney General for the employee under
16 item (ii) of subparagraph (E) of paragraph (4), which must
17 be successfully completed within 6 months of the entry of
18 the court order.

19 This paragraph (5) takes effect January 2, 2023.

20 (6) Right to be heard. Whenever a victim has the right
21 to be heard, the court shall allow the victim to exercise
22 the right in any reasonable manner the victim chooses.

23 (7) Right to attend trial. A party must file a written
24 motion to exclude a victim from trial at least 60 days
25 prior to the date set for trial. The motion must state with
26 specificity the reason exclusion is necessary to protect a

1 constitutional right of the party, and must contain an
2 offer of proof. The court shall rule on the motion within
3 30 days. If the motion is granted, the court shall set
4 forth on the record the facts that support its finding
5 that the victim's testimony will be materially affected if
6 the victim hears other testimony at trial.

7 (8) Right to have advocate and support person present
8 at court proceedings.

9 (A) A party who intends to call an advocate as a
10 witness at trial must seek permission of the court
11 before the subpoena is issued. The party must file a
12 written motion at least 90 days before trial that sets
13 forth specifically the issues on which the advocate's
14 testimony is sought and an offer of proof regarding
15 (i) the content of the anticipated testimony of the
16 advocate; and (ii) the relevance, admissibility, and
17 materiality of the anticipated testimony. The court
18 shall consider the motion and make findings within 30
19 days of the filing of the motion. If the court finds by
20 a preponderance of the evidence that: (i) the
21 anticipated testimony is not protected by an absolute
22 privilege; and (ii) the anticipated testimony contains
23 relevant, admissible, and material evidence that is
24 not available through other witnesses or evidence, the
25 court shall issue a subpoena requiring the advocate to
26 appear to testify at an in camera hearing. The

1 prosecuting attorney and the victim shall have 15 days
2 to seek appellate review before the advocate is
3 required to testify at an ex parte in camera
4 proceeding.

5 The prosecuting attorney, the victim, and the
6 advocate's attorney shall be allowed to be present at
7 the ex parte in camera proceeding. If, after
8 conducting the ex parte in camera hearing, the court
9 determines that due process requires any testimony
10 regarding confidential or privileged information or
11 communications, the court shall provide to the
12 prosecuting attorney, the victim, and the advocate's
13 attorney a written memorandum on the substance of the
14 advocate's testimony. The prosecuting attorney, the
15 victim, and the advocate's attorney shall have 15 days
16 to seek appellate review before a subpoena may be
17 issued for the advocate to testify at trial. The
18 presence of the prosecuting attorney at the ex parte
19 in camera proceeding does not make the substance of
20 the advocate's testimony that the court has ruled
21 inadmissible subject to discovery.

22 (B) If a victim has asserted the right to have a
23 support person present at the court proceedings, the
24 victim shall provide the name of the person the victim
25 has chosen to be the victim's support person to the
26 prosecuting attorney, within 60 days of trial. The

1 prosecuting attorney shall provide the name to the
2 defendant. If the defendant intends to call the
3 support person as a witness at trial, the defendant
4 must seek permission of the court before a subpoena is
5 issued. The defendant must file a written motion at
6 least 45 days prior to trial that sets forth
7 specifically the issues on which the support person
8 will testify and an offer of proof regarding: (i) the
9 content of the anticipated testimony of the support
10 person; and (ii) the relevance, admissibility, and
11 materiality of the anticipated testimony.

12 If the prosecuting attorney intends to call the
13 support person as a witness during the State's
14 case-in-chief, the prosecuting attorney shall inform
15 the court of this intent in the response to the
16 defendant's written motion. The victim may choose a
17 different person to be the victim's support person.
18 The court may allow the defendant to inquire about
19 matters outside the scope of the direct examination
20 during cross-examination. If the court allows the
21 defendant to do so, the support person shall be
22 allowed to remain in the courtroom after the support
23 person has testified. A defendant who fails to
24 question the support person about matters outside the
25 scope of direct examination during the State's
26 case-in-chief waives the right to challenge the

1 presence of the support person on appeal. The court
2 shall allow the support person to testify if called as
3 a witness in the defendant's case-in-chief or the
4 State's rebuttal.

5 If the court does not allow the defendant to
6 inquire about matters outside the scope of the direct
7 examination, the support person shall be allowed to
8 remain in the courtroom after the support person has
9 been called by the defendant or the defendant has
10 rested. The court shall allow the support person to
11 testify in the State's rebuttal.

12 If the prosecuting attorney does not intend to
13 call the support person in the State's case-in-chief,
14 the court shall verify with the support person whether
15 the support person, if called as a witness, would
16 testify as set forth in the offer of proof. If the
17 court finds that the support person would testify as
18 set forth in the offer of proof, the court shall rule
19 on the relevance, materiality, and admissibility of
20 the anticipated testimony. If the court rules the
21 anticipated testimony is admissible, the court shall
22 issue the subpoena. The support person may remain in
23 the courtroom after the support person testifies and
24 shall be allowed to testify in rebuttal.

25 If the court excludes the victim's support person
26 during the State's case-in-chief, the victim shall be

1 allowed to choose another support person to be present
2 in court.

3 If the victim fails to designate a support person
4 within 60 days of trial and the defendant has
5 subpoenaed the support person to testify at trial, the
6 court may exclude the support person from the trial
7 until the support person testifies. If the court
8 excludes the support person the victim may choose
9 another person as a support person.

10 (9) Right to notice and hearing before disclosure of
11 confidential or privileged information or records.

12 (A) A defendant who seeks to subpoena testimony or
13 records of or concerning the victim that are
14 confidential or privileged by law must seek permission
15 of the court before the subpoena is issued. The
16 defendant must file a written motion and an offer of
17 proof regarding the relevance, admissibility and
18 materiality of the testimony or records. If the court
19 finds by a preponderance of the evidence that:

20 (i) the testimony or records are not protected
21 by an absolute privilege and

22 (ii) the testimony or records contain
23 relevant, admissible, and material evidence that
24 is not available through other witnesses or
25 evidence, the court shall issue a subpoena
26 requiring the witness to appear in camera or a

1 sealed copy of the records be delivered to the
2 court to be reviewed in camera. If, after
3 conducting an in camera review of the witness
4 statement or records, the court determines that
5 due process requires disclosure of any potential
6 testimony or any portion of the records, the court
7 shall provide copies of the records that it
8 intends to disclose to the prosecuting attorney
9 and the victim. The prosecuting attorney and the
10 victim shall have 30 days to seek appellate review
11 before the records are disclosed to the defendant,
12 used in any court proceeding, or disclosed to
13 anyone or in any way that would subject the
14 testimony or records to public review. The
15 disclosure of copies of any portion of the
16 testimony or records to the prosecuting attorney
17 under this Section does not make the records
18 subject to discovery or required to be provided to
19 the defendant.

20 (B) A prosecuting attorney who seeks to subpoena
21 information or records concerning the victim that are
22 confidential or privileged by law must first request
23 the written consent of the crime victim. If the victim
24 does not provide such written consent, including where
25 necessary the appropriate signed document required for
26 waiving privilege, the prosecuting attorney must serve

1 the subpoena at least 21 days prior to the date a
2 response or appearance is required to allow the
3 subject of the subpoena time to file a motion to quash
4 or request a hearing. The prosecuting attorney must
5 also send a written notice to the victim at least 21
6 days prior to the response date to allow the victim to
7 file a motion or request a hearing. The notice to the
8 victim shall inform the victim (i) that a subpoena has
9 been issued for confidential information or records
10 concerning the victim, (ii) that the victim has the
11 right to request a hearing prior to the response date
12 of the subpoena, and (iii) how to request the hearing.
13 The notice to the victim shall also include a copy of
14 the subpoena. If requested, a hearing regarding the
15 subpoena shall occur before information or records are
16 provided to the prosecuting attorney.

17 (10) Right to notice of court proceedings. If the
18 victim is not present at a court proceeding in which a
19 right of the victim is at issue, the court shall ask the
20 prosecuting attorney whether the victim was notified of
21 the time, place, and purpose of the court proceeding and
22 that the victim had a right to be heard at the court
23 proceeding. If the court determines that timely notice was
24 not given or that the victim was not adequately informed
25 of the nature of the court proceeding, the court shall not
26 rule on any substantive issues, accept a plea, or impose a

1 sentence and shall continue the hearing for the time
2 necessary to notify the victim of the time, place and
3 nature of the court proceeding. The time between court
4 proceedings shall not be attributable to the State under
5 Section 103-5 of the Code of Criminal Procedure of 1963.

6 (11) Right to timely disposition of the case. A victim
7 has the right to timely disposition of the case so as to
8 minimize the stress, cost, and inconvenience resulting
9 from the victim's involvement in the case. Before ruling
10 on a motion to continue trial or other court proceeding,
11 the court shall inquire into the circumstances for the
12 request for the delay and, if the victim has provided
13 written notice of the assertion of the right to a timely
14 disposition, and whether the victim objects to the delay.
15 If the victim objects, the prosecutor shall inform the
16 court of the victim's objections. If the prosecutor has
17 not conferred with the victim about the continuance, the
18 prosecutor shall inform the court of the attempts to
19 confer. If the court finds the attempts of the prosecutor
20 to confer with the victim were inadequate to protect the
21 victim's right to be heard, the court shall give the
22 prosecutor at least 3 but not more than 5 business days to
23 confer with the victim. In ruling on a motion to continue,
24 the court shall consider the reasons for the requested
25 continuance, the number and length of continuances that
26 have been granted, the victim's objections and procedures

1 to avoid further delays. If a continuance is granted over
2 the victim's objection, the court shall specify on the
3 record the reasons for the continuance and the procedures
4 that have been or will be taken to avoid further delays.

5 (12) Right to Restitution.

6 (A) If the victim has asserted the right to
7 restitution and the amount of restitution is known at
8 the time of sentencing, the court shall enter the
9 judgment of restitution at the time of sentencing.

10 (B) If the victim has asserted the right to
11 restitution and the amount of restitution is not known
12 at the time of sentencing, the prosecutor shall,
13 within 5 days after sentencing, notify the victim what
14 information and documentation related to restitution
15 is needed and that the information and documentation
16 must be provided to the prosecutor within 45 days
17 after sentencing. Failure to timely provide
18 information and documentation related to restitution
19 shall be deemed a waiver of the right to restitution.
20 The prosecutor shall file and serve within 60 days
21 after sentencing a proposed judgment for restitution
22 and a notice that includes information concerning the
23 identity of any victims or other persons seeking
24 restitution, whether any victim or other person
25 expressly declines restitution, the nature and amount
26 of any damages together with any supporting

1 documentation, a restitution amount recommendation,
2 and the names of any co-defendants and their case
3 numbers. Within 30 days after receipt of the proposed
4 judgment for restitution, the defendant shall file any
5 objection to the proposed judgment, a statement of
6 grounds for the objection, and a financial statement.
7 If the defendant does not file an objection, the court
8 may enter the judgment for restitution without further
9 proceedings. If the defendant files an objection and
10 either party requests a hearing, the court shall
11 schedule a hearing.

12 (13) Access to presentence reports.

13 (A) The victim may request a copy of the
14 presentence report prepared under the Unified Code of
15 Corrections from the State's Attorney. The State's
16 Attorney shall redact the following information before
17 providing a copy of the report:

18 (i) the defendant's mental history and
19 condition;

20 (ii) any evaluation prepared under subsection
21 (b) or (b-5) of Section 5-3-2; and

22 (iii) the name, address, phone number, and
23 other personal information about any other victim.

24 (B) The State's Attorney or the defendant may
25 request the court redact other information in the
26 report that may endanger the safety of any person.

1 (C) The State's Attorney may orally disclose to
2 the victim any of the information that has been
3 redacted if there is a reasonable likelihood that the
4 information will be stated in court at the sentencing.

5 (D) The State's Attorney must advise the victim
6 that the victim must maintain the confidentiality of
7 the report and other information. Any dissemination of
8 the report or information that was not stated at a
9 court proceeding constitutes indirect criminal
10 contempt of court.

11 (14) Appellate relief. If the trial court denies the
12 relief requested, the victim, the victim's attorney, or
13 the prosecuting attorney may file an appeal within 30 days
14 of the trial court's ruling. The trial or appellate court
15 may stay the court proceedings if the court finds that a
16 stay would not violate a constitutional right of the
17 defendant. If the appellate court denies the relief
18 sought, the reasons for the denial shall be clearly stated
19 in a written opinion. In any appeal in a criminal case, the
20 State may assert as error the court's denial of any crime
21 victim's right in the proceeding to which the appeal
22 relates.

23 (15) Limitation on appellate relief. In no case shall
24 an appellate court provide a new trial to remedy the
25 violation of a victim's right.

26 (16) The right to be reasonably protected from the

1 accused throughout the criminal justice process and the
2 right to have the safety of the victim and the victim's
3 family considered in determining whether to release the
4 defendant, and setting conditions of release after arrest
5 and conviction. A victim of domestic violence, a sexual
6 offense, or stalking may request the entry of a protective
7 order under Article 112A of the Code of Criminal Procedure
8 of 1963.

9 (d) Procedures after the imposition of sentence.

10 (1) The Prisoner Review Board shall inform a victim or
11 any other concerned citizen, upon written request, of the
12 prisoner's release on parole, mandatory supervised
13 release, electronic detention, work release, international
14 transfer or exchange, or by the custodian, other than the
15 Department of Juvenile Justice, of the discharge of any
16 individual who was adjudicated a delinquent for a crime
17 from State custody and by the sheriff of the appropriate
18 county of any such person's final discharge from county
19 custody. The Prisoner Review Board, upon written request,
20 shall provide to a victim or any other concerned citizen a
21 recent photograph of any person convicted of a felony,
22 upon his or her release from custody. The Prisoner Review
23 Board, upon written request, shall inform a victim or any
24 other concerned citizen when feasible at least 7 days
25 prior to the prisoner's release on furlough of the times
26 and dates of such furlough. Upon written request by the

1 victim or any other concerned citizen, the State's
2 Attorney shall notify the person once of the times and
3 dates of release of a prisoner sentenced to periodic
4 imprisonment. Notification shall be based on the most
5 recent information as to the victim's or other concerned
6 citizen's residence or other location available to the
7 notifying authority.

8 (2) When the defendant has been committed to the
9 Department of Human Services pursuant to Section 5-2-4 or
10 any other provision of the Unified Code of Corrections,
11 the victim may request to be notified by the releasing
12 authority of the approval by the court of an on-grounds
13 pass, a supervised off-grounds pass, an unsupervised
14 off-grounds pass, or conditional release; the release on
15 an off-grounds pass; the return from an off-grounds pass;
16 transfer to another facility; conditional release; escape;
17 death; or final discharge from State custody. The
18 Department of Human Services shall establish and maintain
19 a statewide telephone number to be used by victims to make
20 notification requests under these provisions and shall
21 publicize this telephone number on its website and to the
22 State's Attorney of each county.

23 (3) In the event of an escape from State custody, the
24 Department of Corrections or the Department of Juvenile
25 Justice immediately shall notify the Prisoner Review Board
26 of the escape and the Prisoner Review Board shall notify

1 the victim. The notification shall be based upon the most
2 recent information as to the victim's residence or other
3 location available to the Board. When no such information
4 is available, the Board shall make all reasonable efforts
5 to obtain the information and make the notification. When
6 the escapee is apprehended, the Department of Corrections
7 or the Department of Juvenile Justice immediately shall
8 notify the Prisoner Review Board and the Board shall
9 notify the victim.

10 (4) The victim of the crime for which the prisoner has
11 been sentenced has the right to register with the Prisoner
12 Review Board's victim registry. Victims registered with
13 the Board shall receive reasonable written notice not less
14 than 30 days prior to the parole hearing or target
15 aftercare release date. The victim has the right to submit
16 a victim statement for consideration by the Prisoner
17 Review Board or the Department of Juvenile Justice in
18 writing, on film, videotape, or other electronic means, or
19 in the form of a recording prior to the parole hearing or
20 target aftercare release date, or in person at the parole
21 hearing or aftercare release protest hearing, or by
22 calling the toll-free number established in subsection (f)
23 of this Section. The victim shall be notified within 7
24 days after the prisoner has been granted parole or
25 aftercare release and shall be informed of the right to
26 inspect the registry of parole decisions, established

1 under subsection (g) of Section 3-3-5 of the Unified Code
2 of Corrections. The provisions of this paragraph (4) are
3 subject to the Open Parole Hearings Act. Victim statements
4 provided to the Board shall be confidential and
5 privileged, including any statements received prior to
6 January 1, 2020 (the effective date of Public Act
7 101-288), except if the statement was an oral statement
8 made by the victim at a hearing open to the public.

9 (4-1) The crime victim, including any person who has
10 had a final, plenary, or non-emergency protective order
11 granted against the petitioner or parole candidate under
12 Article 112A of the Code of Criminal Procedure of 1963,
13 the Illinois Domestic Violence Act of 1986, the Stalking
14 No Contact Order Act, or the Civil No Contact Order Act,
15 has the right to submit a victim statement, in support or
16 opposition, for consideration by the Prisoner Review Board
17 or the Department of Juvenile Justice prior to or at a
18 hearing to determine the conditions of mandatory
19 supervised release of a person sentenced to a determinate
20 sentence or at a hearing on revocation of mandatory
21 supervised release of a person sentenced to a determinate
22 sentence. A victim statement may be submitted in writing,
23 on film, videotape, or other electronic means, or in the
24 form of a recording, or orally at a hearing, or by calling
25 the toll-free number established in subsection (f) of this
26 Section. Victim statements provided to the Board shall be

1 confidential and privileged, including any statements
2 received prior to January 1, 2020 (the effective date of
3 Public Act 101-288), except if the statement was an oral
4 statement made by the victim at a hearing open to the
5 public.

6 (4-2) The crime victim, including any person who has
7 had a final, plenary, or non-emergency protective order
8 granted against the petitioner or parole candidate under
9 Article 112A of the Code of Criminal Procedure of 1963,
10 the Illinois Domestic Violence Act of 1986, the Stalking
11 No Contact Order Act, or the Civil No Contact Order Act,
12 has the right to submit a victim statement, in support or
13 opposition, to the Prisoner Review Board for consideration
14 at an executive clemency hearing as provided in Section
15 3-3-13 of the Unified Code of Corrections. A victim
16 statement may be submitted in writing, on film, videotape,
17 or other electronic means, or in the form of a recording
18 prior to a hearing, or orally at a hearing, or by calling
19 the toll-free number established in subsection (f) of this
20 Section. Victim statements provided to the Board shall be
21 confidential and privileged, including any statements
22 received prior to January 1, 2020 (the effective date of
23 Public Act 101-288), except if the statement was an oral
24 statement made by the victim at a hearing open to the
25 public.

26 (5) If a statement is presented under Section 6, the

1 Prisoner Review Board or Department of Juvenile Justice
2 shall inform the victim of any order of discharge pursuant
3 to Section 3-2.5-85 or 3-3-8 of the Unified Code of
4 Corrections.

5 (6) At the written or oral request of the victim of the
6 crime for which the prisoner was sentenced or the State's
7 Attorney of the county where the person seeking parole or
8 aftercare release was prosecuted, the Prisoner Review
9 Board or Department of Juvenile Justice shall notify the
10 victim and the State's Attorney of the county where the
11 person seeking parole or aftercare release was prosecuted
12 of the death of the prisoner if the prisoner died while on
13 parole or aftercare release or mandatory supervised
14 release.

15 (7) When a defendant who has been committed to the
16 Department of Corrections, the Department of Juvenile
17 Justice, or the Department of Human Services is released
18 or discharged and subsequently committed to the Department
19 of Human Services as a sexually violent person and the
20 victim had requested to be notified by the releasing
21 authority of the defendant's discharge, conditional
22 release, death, or escape from State custody, the
23 releasing authority shall provide to the Department of
24 Human Services such information that would allow the
25 Department of Human Services to contact the victim.

26 (8) When a defendant has been convicted of a sex

1 offense as defined in Section 2 of the Sex Offender
2 Registration Act and has been sentenced to the Department
3 of Corrections or the Department of Juvenile Justice, the
4 Prisoner Review Board or the Department of Juvenile
5 Justice shall notify the victim of the sex offense of the
6 prisoner's eligibility for release on parole, aftercare
7 release, mandatory supervised release, electronic
8 detention, work release, international transfer or
9 exchange, or by the custodian of the discharge of any
10 individual who was adjudicated a delinquent for a sex
11 offense from State custody and by the sheriff of the
12 appropriate county of any such person's final discharge
13 from county custody. The notification shall be made to the
14 victim at least 30 days, whenever possible, before release
15 of the sex offender.

16 (e) The officials named in this Section may satisfy some
17 or all of their obligations to provide notices and other
18 information through participation in a statewide victim and
19 witness notification system established by the Attorney
20 General under Section 8.5 of this Act.

21 (f) The Prisoner Review Board shall establish a toll-free
22 number that may be accessed by the crime victim to present a
23 victim statement to the Board in accordance with paragraphs
24 (4), (4-1), and (4-2) of subsection (d).

25 (g) The Prisoner Review Board shall publish on its
26 official website, and provide to registered victims,

1 procedural information on how to submit victim statements.

2 (Source: P.A. 101-81, eff. 7-12-19; 101-288, eff. 1-1-20;
3 101-652, eff. 1-1-23; 102-22, eff. 6-25-21; 102-558, eff.
4 8-20-21; 102-813, eff. 5-13-22.)

5 (725 ILCS 120/5) (from Ch. 38, par. 1405)

6 Sec. 5. Rights of witnesses.

7 (a) Witnesses as defined in subsection (b) of Section 3 of
8 this Act shall have the following rights:

9 (1) to be notified by the Office of the State's
10 Attorney of all court proceedings at which the witness'
11 presence is required in a reasonable amount of time prior
12 to the proceeding, and to be notified of the cancellation
13 of any scheduled court proceeding in sufficient time to
14 prevent an unnecessary appearance in court, where
15 possible;

16 (2) to be provided with appropriate employer
17 intercession services by the Office of the State's
18 Attorney or the victim advocate personnel to ensure that
19 employers of witnesses will cooperate with the criminal
20 justice system in order to minimize an employee's loss of
21 pay and other benefits resulting from court appearances;

22 (3) to be provided, whenever possible, a secure
23 waiting area during court proceedings that does not
24 require witnesses to be in close proximity to defendants
25 and their families and friends;

1 (4) to be provided with notice by the Office of the
2 State's Attorney, where necessary, of the right to have a
3 translator present whenever the witness' presence is
4 required and, in compliance with the federal Americans
5 with Disabilities Act of 1990, to be provided with notice
6 of the right to communications access through a sign
7 language interpreter or by other means.

8 (b) At the written request of the witness, the witness
9 shall:

10 (1) receive notice from the office of the State's
11 Attorney of any request for post-conviction review filed
12 by the defendant under Article 122 of the Code of Criminal
13 Procedure of 1963, and of the date, time, and place of any
14 hearing concerning the petition for post-conviction
15 review; whenever possible, notice of the hearing on the
16 petition shall be given in advance;

17 (2) receive notice by the releasing authority of the
18 defendant's discharge from State custody if the defendant
19 was committed to the Department of Human Services under
20 Section 5-2-4 or any other provision of the Unified Code
21 of Corrections;

22 (3) receive notice from the Prisoner Review Board of
23 the prisoner's escape from State custody, after the Board
24 has been notified of the escape by the Department of
25 Corrections or the Department of Juvenile Justice; when
26 the escapee is apprehended, the Department of Corrections

1 or the Department of Juvenile Justice shall immediately
2 notify the Prisoner Review Board and the Board shall
3 notify the witness;

4 (4) receive notice from the Prisoner Review Board or
5 the Department of Juvenile Justice of the prisoner's
6 release on parole, aftercare release, electronic
7 detention, work release or mandatory supervised release
8 and of the prisoner's final discharge from parole,
9 aftercare release, electronic detention, work release, or
10 mandatory supervised release.

11 (c) The crime victim, including any person who has had a
12 final, plenary, or non-emergency protective order granted
13 against the petitioner or parole candidate under Article 112A
14 of the Code of Criminal Procedure of 1963, the Illinois
15 Domestic Violence Act of 1986, the Stalking No Contact Order
16 Act, or the Civil No Contact Order Act, has the right to submit
17 a victim statement, in support or opposition, to the Prisoner
18 Review Board for consideration at a medical release hearing as
19 provided in Section 3-3-14 of the Unified Code of Corrections.
20 A victim statement may be submitted in writing, on film,
21 videotape, or other electronic means, or in the form of a
22 recording prior to a hearing, or orally at a hearing, or by
23 calling the toll-free number established in subsection (f) of
24 Section 4.5. Victim statements provided to the Board shall be
25 confidential and privileged, including any statements received
26 prior to the effective date of this amendatory Act of the 102nd

1 General Assembly, except if the statement was an oral
2 statement made by the victim at a hearing open to the public.
3 (Source: P.A. 102-494, eff. 1-1-22.)

4 Section 10. The Unified Code of Corrections is amended by
5 changing Sections 3-3-1, 3-3-2, 3-3-5, 3-3-8, 3-3-9, 3-3-13,
6 3-3-14, 3-5-1, 3-14-1, and 5-4.5-115 as follows:

7 (730 ILCS 5/3-3-1) (from Ch. 38, par. 1003-3-1)

8 Sec. 3-3-1. Establishment and appointment of Prisoner
9 Review Board.

10 (a) There shall be a Prisoner Review Board independent of
11 the Department which shall be:

12 (1) the paroling authority for persons sentenced under
13 the law in effect prior to the effective date of this
14 amendatory Act of 1977;

15 (1.2) the paroling authority for persons eligible for
16 parole review under Section 5-4.5-115;

17 (1.5) (blank);

18 (2) the board of review for cases involving the
19 revocation of sentence credits or a suspension or
20 reduction in the rate of accumulating the credit;

21 (3) the board of review and recommendation for the
22 exercise of executive clemency by the Governor;

23 (4) the authority for establishing release dates for
24 certain prisoners sentenced under the law in existence

1 prior to the effective date of this amendatory Act of
2 1977, in accordance with Section 3-3-2.1 of this Code;

3 (5) the authority for setting conditions for parole
4 and mandatory supervised release under Section 5-8-1(a) of
5 this Code, and determining whether a violation of those
6 conditions warrant revocation of parole or mandatory
7 supervised release or the imposition of other sanctions;

8 (6) the authority for determining whether a violation
9 of aftercare release conditions warrant revocation of
10 aftercare release; and

11 (7) the authority to release medically infirm or
12 disabled prisoners under Section 3-3-14.

13 (b) The Board shall consist of 15 persons appointed by the
14 Governor by and with the advice and consent of the Senate. One
15 member of the Board shall be designated by the Governor to be
16 Chairman and shall serve as Chairman at the pleasure of the
17 Governor. The members of the Board shall have had at least 5
18 years of actual experience in the fields of penology,
19 corrections work, advocacy for victims of crime and their
20 families, advocacy for survivors of domestic violence, sexual
21 violence, or intimate partner violence, law enforcement,
22 sociology, law, education, social work, medicine, psychology,
23 other behavioral sciences, or a combination thereof. At least
24 3 ~~6~~ members so appointed must have at least 3 years experience
25 in the field of juvenile matters. A total of 7 members must
26 have at least 5 years' experience as a law enforcement

1 officer, parole officer, prosecutor, criminal defense
2 attorney, or judge. No more than 8 Board members may be members
3 of the same political party.

4 Each member of the Board shall serve on a full-time basis
5 and shall not hold any other salaried public office, whether
6 elective or appointive, nor any other office or position of
7 profit, nor engage in any other business, employment, or
8 vocation. The Chairman of the Board shall receive the same
9 salary as the Chairperson of the Illinois Human Rights
10 Commission ~~\$35,000 a year, or an amount set by the~~
11 ~~Compensation Review Board, whichever is greater,~~ and each
12 other member shall receive the same salary as members of the
13 Illinois Human Rights Commission ~~\$30,000, or an amount set by~~
14 ~~the Compensation Review Board, whichever is greater.~~ The
15 changes made to the salary of the Chairman of the Board and to
16 the salaries of other members of the Board by this amendatory
17 Act of the 104th General Assembly apply only to persons who are
18 appointed or reappointed to those positions on or after the
19 effective date of this amendatory Act of the 104th General
20 Assembly.

21 (c) Notwithstanding any other provision of this Section,
22 the term of each member of the Board who was appointed by the
23 Governor and is in office on June 30, 2003 shall terminate at
24 the close of business on that date or when all of the successor
25 members to be appointed pursuant to this amendatory Act of the
26 93rd General Assembly have been appointed by the Governor,

1 whichever occurs later. As soon as possible, the Governor
2 shall appoint persons to fill the vacancies created by this
3 amendatory Act.

4 Of the initial members appointed under this amendatory Act
5 of the 93rd General Assembly, the Governor shall appoint 5
6 members whose terms shall expire on the third Monday in
7 January 2005, 5 members whose terms shall expire on the third
8 Monday in January 2007, and 5 members whose terms shall expire
9 on the third Monday in January 2009. Their respective
10 successors shall be appointed for terms of 6 years from the
11 third Monday in January of the year of appointment. Each
12 member shall serve until his or her successor is appointed and
13 qualified.

14 Notwithstanding any other provision of this Section, any
15 member appointed after January 1, 2026 shall be appointed for
16 an 8-year term that begins upon the date of appointment or
17 reappointment. Each member shall serve until the member's
18 successor is appointed and qualified.

19 Any member may be removed by the Governor for
20 incompetence, neglect of duty, malfeasance or inability to
21 serve.

22 (d) The Chairman of the Board shall be its chief executive
23 and administrative officer. The Board may have an Executive
24 Director; if so, the Executive Director shall be appointed by
25 the Governor with the advice and consent of the Senate. The
26 salary and duties of the Executive Director shall be fixed by

1 the Board.

2 (e) Each member and commissioner of the Prisoner Review
3 Board shall be required to complete a training course
4 developed and administered in consultation with the Department
5 of Corrections. The training shall be provided to new members
6 and commissioners of the Prisoner Review Board within 30 days
7 of the start of their service and before they take part in any
8 hearings. The training shall cover topics, including, but not
9 limited to:

10 (1) the prison and incarceration system, including a
11 tour of a correctional institution or facility and a
12 meeting with the facility administration;

13 (2) the nature and benefits of rehabilitative
14 corrections;

15 (3) rehabilitative programming provided by the
16 Department of Corrections available to incarcerated
17 individuals; and

18 (4) the impact of rehabilitative corrections and
19 programming on rates of recidivism.

20 In addition to the training course, each member and
21 commissioner of the Board shall also be required to
22 participate in 20 hours of continuing education or training
23 per year. Training shall cover, but shall not be limited to,
24 the following topics: domestic violence, restorative justice,
25 racial bias, risk assessment bias, law enforcement bias,
26 prevalence of wrongful conviction, prosecutorial misconduct,

1 police misconduct, mental health, cognitive behavioral
2 therapy, trauma, the age-crime curve, recidivism, and the
3 benefits of rehabilitative, educational, vocational, and
4 health, programming in correctional facilities. Documentation
5 of completion shall be submitted to and recorded by the
6 Department of Corrections and made available to the public
7 upon request.

8 The 20 hours of continuing education or training per year
9 required in this subsection shall include a training course
10 developed and administered by the entity administering the
11 Illinois Domestic Violence Hotline. The training shall be
12 provided to new members and commissioners of the Prisoner
13 Review Board within 30 days of the start of their service and
14 before they take part in any hearings.

15 This training shall be tailored specifically to the
16 members of the Board and shall cover topics, including, but
17 not limited to:

18 (1) the nature, extent, causes, and lethality of
19 domestic violence and gender-based violence;

20 (2) implicit and explicit biases toward parties
21 involved in domestic violence and gender-based violence;

22 (3) criminalization of survivors of domestic violence
23 and gender-based violence;

24 (4) behavioral patterns and relationship dynamics
25 within the cycle of violence;

26 (5) safety planning and procedures designed to promote

1 the safety of victims of domestic violence and
2 gender-based violence and their household members;

3 (6) resources available to victims of domestic
4 violence and gender-based violence and their household
5 members; and

6 (7) the Illinois Domestic Violence Act of 1986, the
7 Stalking No Contact Order Act, the Civil No Contact Order
8 Act, and the legal process regarding protective orders.

9 (f) The Board may appoint commissioners to assist it in
10 such manner as it directs and may discharge them at will.

11 Commissioners shall not be subject to the Personnel Code. Any
12 commissioner appointed shall be an attorney licensed to
13 practice law in the State of Illinois. The Board in its
14 discretion may assign any hearing to a commissioner, except
15 that, in hearings requiring a quorum of the Board, only
16 members shall participate, and in hearings requiring at least
17 3 members, at least 2 members shall participate. No
18 commissioner may act as the lead member or point of contact for
19 any institutional hearing.

20 (Source: P.A. 101-288, eff. 1-1-20; 102-494, eff. 1-1-22.)

21 (730 ILCS 5/3-3-2) (from Ch. 38, par. 1003-3-2)

22 Sec. 3-3-2. Powers and duties.

23 (a) The Parole and Pardon Board is abolished and the term
24 "Parole and Pardon Board" as used in any law of Illinois, shall
25 read "Prisoner Review Board." After February 1, 1978 (the

1 effective date of Public Act 81-1099), the Prisoner Review
2 Board shall provide by rule for the orderly transition of all
3 files, records, and documents of the Parole and Pardon Board
4 and for such other steps as may be necessary to effect an
5 orderly transition and shall:

6 (1) hear by at least one member and through a panel of
7 at least 3 members decide, cases of prisoners who were
8 sentenced under the law in effect prior to February 1,
9 1978 (the effective date of Public Act 81-1099), and who
10 are eligible for parole;

11 (2) hear by at least one member and through a panel of
12 at least 3 members decide, the conditions of parole and
13 the time of discharge from parole, impose sanctions for
14 violations of parole, and revoke parole for those
15 sentenced under the law in effect prior to February 1,
16 1978 (the effective date of Public Act 81-1099); provided
17 that the decision to parole and the conditions of parole
18 for all prisoners who were sentenced for first degree
19 murder or who received a minimum sentence of 20 years or
20 more under the law in effect prior to February 1, 1978
21 shall be determined by a majority vote of the Prisoner
22 Review Board. One representative supporting parole and one
23 representative opposing parole will be allowed to speak.
24 Their comments shall be limited to making corrections and
25 filling in omissions to the Board's presentation and
26 discussion;

1 (3) hear by at least one member and through a panel of
2 at least 3 members decide, the conditions of mandatory
3 supervised release and the time of discharge from
4 mandatory supervised release, impose sanctions for
5 violations of mandatory supervised release, and revoke
6 mandatory supervised release for those sentenced under the
7 law in effect after February 1, 1978 (the effective date
8 of Public Act 81-1099);

9 (3.5) hear by at least one member and through a panel
10 of at least 3 members decide, the conditions of mandatory
11 supervised release and the time of discharge from
12 mandatory supervised release, to impose sanctions for
13 violations of mandatory supervised release and revoke
14 mandatory supervised release for those serving extended
15 supervised release terms pursuant to paragraph (4) of
16 subsection (d) of Section 5-8-1;

17 (3.6) hear by at least one member and through a panel
18 of at least 3 members decide whether to revoke aftercare
19 release for those committed to the Department of Juvenile
20 Justice under the Juvenile Court Act of 1987;

21 (4) hear by at least one member and through a panel of
22 at least 3 members, decide cases brought by the Department
23 of Corrections against a prisoner in the custody of the
24 Department for alleged violation of Department rules with
25 respect to sentence credits under Section 3-6-3 of this
26 Code in which the Department seeks to revoke sentence

1 credits, if the amount of time at issue exceeds 30 days or
2 when, during any 12-month period, the cumulative amount of
3 credit revoked exceeds 30 days except where the infraction
4 is committed or discovered within 60 days of scheduled
5 release. In such cases, the Department of Corrections may
6 revoke up to 30 days of sentence credit. The Board may
7 subsequently approve the revocation of additional sentence
8 credit, if the Department seeks to revoke sentence credit
9 in excess of 30 days. However, the Board shall not be
10 empowered to review the Department's decision with respect
11 to the loss of 30 days of sentence credit for any prisoner
12 or to increase any penalty beyond the length requested by
13 the Department;

14 (5) hear by at least one member and through a panel of
15 at least 3 members decide, the release dates for certain
16 prisoners sentenced under the law in existence prior to
17 February 1, 1978 (the effective date of Public Act
18 81-1099), in accordance with Section 3-3-2.1 of this Code;

19 (6) hear by at least one member and through a panel of
20 at least 3 members decide, all requests for pardon,
21 reprieve or commutation, and make confidential
22 recommendations to the Governor;

23 (6.5) hear by at least one member who is qualified in
24 the field of juvenile matters and through a panel of at
25 least 3 members, 2 of whom are qualified in the field of
26 juvenile matters, decide parole review cases in accordance

1 with Section 5-4.5-115 of this Code and make release
2 determinations of persons under the age of 21 at the time
3 of the commission of an offense or offenses, other than
4 those persons serving sentences for first degree murder or
5 aggravated criminal sexual assault;

6 (6.6) hear by at least a quorum of the Prisoner Review
7 Board and decide by a majority of members present at the
8 hearing, in accordance with Section 5-4.5-115 of this
9 Code, release determinations of persons under the age of
10 21 at the time of the commission of an offense or offenses
11 of those persons serving sentences for first degree murder
12 or aggravated criminal sexual assault;

13 (7) comply with the requirements of the Open Parole
14 Hearings Act;

15 (8) hear by at least one member and, through a panel of
16 at least 3 members, decide cases brought by the Department
17 of Corrections against a prisoner in the custody of the
18 Department for court dismissal of a frivolous lawsuit
19 pursuant to Section 3-6-3(d) of this Code in which the
20 Department seeks to revoke up to 180 days of sentence
21 credit, and if the prisoner has not accumulated 180 days
22 of sentence credit at the time of the dismissal, then all
23 sentence credit accumulated by the prisoner shall be
24 revoked;

25 (9) hear by at least 3 members, and, through a panel of
26 at least 3 members, decide whether to grant certificates

1 of relief from disabilities or certificates of good
2 conduct as provided in Article 5.5 of Chapter V;

3 (10) upon a petition by a person who has been
4 convicted of a Class 3 or Class 4 felony and who meets the
5 requirements of this paragraph, hear by at least 3 members
6 and, with the unanimous vote of a panel of 3 members, issue
7 a certificate of eligibility for sealing recommending that
8 the court order the sealing of all official records of the
9 arresting authority, the circuit court clerk, and the
10 Illinois State Police concerning the arrest and conviction
11 for the Class 3 or 4 felony. A person may not apply to the
12 Board for a certificate of eligibility for sealing:

13 (A) until 5 years have elapsed since the
14 expiration of his or her sentence;

15 (B) until 5 years have elapsed since any arrests
16 or detentions by a law enforcement officer for an
17 alleged violation of law, other than a petty offense,
18 traffic offense, conservation offense, or local
19 ordinance offense;

20 (C) if convicted of a violation of the Cannabis
21 Control Act, Illinois Controlled Substances Act, the
22 Methamphetamine Control and Community Protection Act,
23 the Methamphetamine Precursor Control Act, or the
24 Methamphetamine Precursor Tracking Act unless the
25 petitioner has completed a drug abuse program for the
26 offense on which sealing is sought and provides proof

1 that he or she has completed the program successfully;

2 (D) if convicted of:

3 (i) a sex offense described in Article 11 or
4 Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of
5 the Criminal Code of 1961 or the Criminal Code of
6 2012;

7 (ii) aggravated assault;

8 (iii) aggravated battery;

9 (iv) domestic battery;

10 (v) aggravated domestic battery;

11 (vi) violation of an order of protection;

12 (vii) an offense under the Criminal Code of
13 1961 or the Criminal Code of 2012 involving a
14 firearm;

15 (viii) driving while under the influence of
16 alcohol, other drug or drugs, intoxicating
17 compound or compounds, or any combination thereof;

18 (ix) aggravated driving while under the
19 influence of alcohol, other drug or drugs,
20 intoxicating compound or compounds, or any
21 combination thereof; or

22 (x) any crime defined as a crime of violence
23 under Section 2 of the Crime Victims Compensation
24 Act.

25 If a person has applied to the Board for a certificate
26 of eligibility for sealing and the Board denies the

1 certificate, the person must wait at least 4 years before
2 filing again or filing for pardon from the Governor unless
3 the Chairman of the Prisoner Review Board grants a waiver.

4 The decision to issue or refrain from issuing a
5 certificate of eligibility for sealing shall be at the
6 Board's sole discretion, and shall not give rise to any
7 cause of action against either the Board or its members.

8 The Board may only authorize the sealing of Class 3
9 and 4 felony convictions of the petitioner from one
10 information or indictment under this paragraph (10). A
11 petitioner may only receive one certificate of eligibility
12 for sealing under this provision for life; and

13 (11) upon a petition by a person who after having been
14 convicted of a Class 3 or Class 4 felony thereafter served
15 in the United States Armed Forces or National Guard of
16 this or any other state and had received an honorable
17 discharge from the United States Armed Forces or National
18 Guard or who at the time of filing the petition is enlisted
19 in the United States Armed Forces or National Guard of
20 this or any other state and served one tour of duty and who
21 meets the requirements of this paragraph, hear by at least
22 3 members and, with the unanimous vote of a panel of 3
23 members, issue a certificate of eligibility for
24 expungement recommending that the court order the
25 expungement of all official records of the arresting
26 authority, the circuit court clerk, and the Illinois State

1 Police concerning the arrest and conviction for the Class
2 3 or 4 felony. A person may not apply to the Board for a
3 certificate of eligibility for expungement:

4 (A) if convicted of:

5 (i) a sex offense described in Article 11 or
6 Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of
7 the Criminal Code of 1961 or Criminal Code of
8 2012;

9 (ii) an offense under the Criminal Code of
10 1961 or Criminal Code of 2012 involving a firearm;
11 or

12 (iii) a crime of violence as defined in
13 Section 2 of the Crime Victims Compensation Act;
14 or

15 (B) if the person has not served in the United
16 States Armed Forces or National Guard of this or any
17 other state or has not received an honorable discharge
18 from the United States Armed Forces or National Guard
19 of this or any other state or who at the time of the
20 filing of the petition is serving in the United States
21 Armed Forces or National Guard of this or any other
22 state and has not completed one tour of duty.

23 If a person has applied to the Board for a certificate
24 of eligibility for expungement and the Board denies the
25 certificate, the person must wait at least 4 years before
26 filing again or filing for a pardon with authorization for

1 expungement from the Governor unless the Governor or
2 Chairman of the Prisoner Review Board grants a waiver.

3 (a-5) The Prisoner Review Board, with the cooperation of
4 and in coordination with the Department of Corrections and the
5 Department of Central Management Services, shall provide
6 ~~implement a pilot project in 3 correctional institutions~~
7 ~~providing~~ for the conduct of hearings under paragraphs (1) and
8 (4) of subsection (a) of this Section through interactive
9 video conferences. ~~The~~ The project shall be implemented within
10 ~~6 months after January 1, 1997 (the effective date of Public~~
11 ~~Act 89-490). Within 6 months after the implementation of the~~
12 ~~pilot project,~~ the Prisoner Review Board, with the cooperation
13 of and in coordination with the Department of Corrections and
14 the Department of Central Management Services, shall report
15 annually to the Governor and the General Assembly regarding
16 the use, costs, effectiveness, and future viability of
17 interactive video conferences for Prisoner Review Board
18 hearings.

19 (b) Upon recommendation of the Department the Board may
20 restore sentence credit previously revoked.

21 (c) The Board shall cooperate with the Department in
22 promoting an effective system of parole and mandatory
23 supervised release.

24 (d) The Board shall promulgate rules for the conduct of
25 its work, and the Chairman shall file a copy of such rules and
26 any amendments thereto with the Director and with the

1 Secretary of State.

2 (e) The Board shall keep records of all of its official
3 actions and shall make them accessible in accordance with law
4 and the rules of the Board.

5 (f) The Board or one who has allegedly violated the
6 conditions of his or her parole, aftercare release, or
7 mandatory supervised release may require by subpoena the
8 attendance and testimony of witnesses and the production of
9 documentary evidence relating to any matter under
10 investigation or hearing. The Chairman of the Board may sign
11 subpoenas which shall be served by any agent or public
12 official authorized by the Chairman of the Board, or by any
13 person lawfully authorized to serve a subpoena under the laws
14 of the State of Illinois. The attendance of witnesses, and the
15 production of documentary evidence, may be required from any
16 place in the State to a hearing location in the State before
17 the Chairman of the Board or his or her designated agent or
18 agents or any duly constituted Committee or Subcommittee of
19 the Board. Witnesses so summoned shall be paid the same fees
20 and mileage that are paid witnesses in the circuit courts of
21 the State, and witnesses whose depositions are taken and the
22 persons taking those depositions are each entitled to the same
23 fees as are paid for like services in actions in the circuit
24 courts of the State. Fees and mileage shall be vouchered for
25 payment when the witness is discharged from further
26 attendance.

1 In case of disobedience to a subpoena, the Board may
2 petition any circuit court of the State for an order requiring
3 the attendance and testimony of witnesses or the production of
4 documentary evidence or both. A copy of such petition shall be
5 served by personal service or by registered or certified mail
6 upon the person who has failed to obey the subpoena, and such
7 person shall be advised in writing that a hearing upon the
8 petition will be requested in a court room to be designated in
9 such notice before the judge hearing motions or extraordinary
10 remedies at a specified time, on a specified date, not less
11 than 10 nor more than 15 days after the deposit of the copy of
12 the written notice and petition in the U.S. mail addressed to
13 the person at his or her last known address or after the
14 personal service of the copy of the notice and petition upon
15 such person. The court upon the filing of such a petition, may
16 order the person refusing to obey the subpoena to appear at an
17 investigation or hearing, or to there produce documentary
18 evidence, if so ordered, or to give evidence relative to the
19 subject matter of that investigation or hearing. Any failure
20 to obey such order of the circuit court may be punished by that
21 court as a contempt of court.

22 Each member of the Board and any hearing officer
23 designated by the Board shall have the power to administer
24 oaths and to take the testimony of persons under oath.

25 (g) Except under subsection (a) of this Section, a
26 majority of the members then appointed to the Prisoner Review

1 Board shall constitute a quorum for the transaction of all
2 business of the Board.

3 (h) The Prisoner Review Board shall annually transmit to
4 the Director a detailed report of its work for the preceding
5 calendar year, including votes cast by each member. The annual
6 report shall also be transmitted to the Governor for
7 submission to the Legislature.

8 (Source: P.A. 101-288, eff. 1-1-20; 102-538, eff. 8-20-21;
9 102-558, eff. 8-20-21.)

10 (730 ILCS 5/3-3-5) (from Ch. 38, par. 1003-3-5)

11 Sec. 3-3-5. Hearing and determination.

12 (a) The Prisoner Review Board shall meet as often as need
13 requires to consider the cases of persons eligible for parole.
14 Except as otherwise provided in paragraph (2) of subsection
15 (a) of Section 3-3-2 of this Act, the Prisoner Review Board may
16 meet and order its actions in panels of 3 or more members. The
17 action of a majority of the panel shall be the action of the
18 Board.

19 (b) If the person under consideration for parole is in the
20 custody of the Department, at least one member of the Board
21 shall interview him or her, and a report of that interview
22 shall be available for the Board's consideration. However, in
23 the discretion of the Board, the interview need not be
24 conducted if a psychiatric examination determines that the
25 person could not meaningfully contribute to the Board's

1 consideration. The Board may in its discretion parole a person
2 who is then outside the jurisdiction on his or her record
3 without an interview. The Board need not hold a hearing or
4 interview a person who is paroled under paragraphs (d) or (e)
5 of this Section or released on Mandatory release under Section
6 3-3-10.

7 (c) (Blank). ~~The Board shall not parole a person eligible~~
8 ~~for parole if it determines that:~~

9 ~~(1) there is a substantial risk that he or she will not~~
10 ~~conform to reasonable conditions of parole or aftercare~~
11 ~~release; or~~

12 ~~(2) his or her release at that time would deprecate~~
13 ~~the seriousness of his or her offense or promote~~
14 ~~disrespect for the law; or~~

15 ~~(3) his or her release would have a substantially~~
16 ~~adverse effect on institutional discipline.~~

17 (c-1) In deciding whether to grant or deny parole, the
18 Board shall consider the following factors:

19 (1) participation in rehabilitative programming
20 available to the petitioner, including, but not limited
21 to, educational courses, vocational courses, life skills
22 courses, individual or group counseling courses, civics
23 education courses, peer education courses, independent
24 studies courses, substance abuse counseling courses, and
25 behavior modification courses;

26 (2) participation in professional licensing courses or

1 on-the-job training courses;

2 (3) letters from correctional staff, educational
3 faculty, community members, friends, and other
4 incarcerated persons;

5 (4) the petitioner's potential for rehabilitation or
6 the evidence of rehabilitation in the petitioner;

7 (5) the applicant's age at the time of the offense;

8 (6) the circumstances of the offense and the
9 petitioner's role and degree of participation in the
10 offense;

11 (7) the presence of a cognitive or developmental
12 disability in the petitioner at the time of the offense;

13 (8) the petitioner's family, home environment, and
14 educational and social background at the time of the
15 offense;

16 (9) evidence that the petitioner has suffered from
17 post-traumatic stress disorder, adverse childhood
18 experiences, or other traumas that could have been a
19 contributing factor to a person's criminal behavior and
20 participation in the offense;

21 (10) the presence or expression by the petitioner of
22 remorse, compassion, or insight of harm and collateral
23 effects experienced by the victims;

24 (11) the commission of a serious disciplinary
25 infraction within the previous 5 years;

26 (12) a pattern of fewer serious institutional

1 disciplinary infractions within the previous 2 years;

2 (13) evidence that the petitioner has any serious
3 medical conditions;

4 (14) evidence that the Department is unable to meet
5 the petitioner's medical needs;

6 (15) the petitioner's reentry plan, including, but not
7 limited to, residence plans, employment plans, continued
8 education plans, rehabilitation plans, and counseling
9 plans.

10 No one factor listed in this subsection (c-1) shall be
11 dispositive.

12 (d) (Blank).

13 (d-1) The Board shall, upon due notice, give a hearing to
14 all petitioners for medical release and all candidates for
15 parole, allowing representation by counsel, if desired, or the
16 assistance of advocates and supporters, if desired.

17 (d-2) All petitioners for medical release and all
18 candidates for parole appearing before the Prisoner Review
19 Board shall be afforded the opportunity to appear in person or
20 via interactive video teleconference.

21 (d-3) Clemency petitioners who are currently incarcerated
22 and their legal counsel, if retained, shall be afforded the
23 opportunity to a pre-hearing conference in person or via
24 interactive video teleconference with at least one Board
25 member.

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

1 imprisonment imposed at the time of sentencing less time
2 credit for good behavior shall be released on parole to serve a
3 period of parole under Section 5-8-1.

4 (f) The Board shall render its decision within a
5 reasonable time after hearing and shall state the basis
6 therefor both in the records of the Board and in written notice
7 to the person on whose application it has acted. In its
8 decision, the Board shall set the person's time for parole, or
9 if it denies parole it shall provide for a rehearing not less
10 frequently than once every year, except that the Board may,
11 after denying parole, schedule a rehearing no later than 5
12 years from the date of the parole denial, if the Board finds
13 that it is not reasonable to expect that parole would be
14 granted at a hearing prior to the scheduled rehearing date. If
15 the Board shall parole a person, and, if he or she is not
16 released within 90 days from the effective date of the order
17 granting parole, the matter shall be returned to the Board for
18 review. If the Board denies parole, the written notice must
19 include an explanation of each factor the Board relied on in
20 making its decision to deny parole and what factors and goals
21 the applicant should focus on and try to meet to be granted
22 parole at a subsequent hearing.

23 (f-1) If the Board paroles a person who is eligible for
24 commitment as a sexually violent person, the effective date of
25 the Board's order shall be stayed for 90 days for the purpose
26 of evaluation and proceedings under the Sexually Violent

1 Persons Commitment Act.

2 (g) The Board shall maintain a registry of decisions in
3 which parole has been granted, which shall include the name
4 and case number of the prisoner, the highest charge for which
5 the prisoner was sentenced, the length of sentence imposed,
6 the date of the sentence, the date of the parole, and the basis
7 for the decision of the Board to grant parole and the vote of
8 the Board on any such decisions. The registry shall be made
9 available for public inspection and copying during business
10 hours and shall be a public record pursuant to the provisions
11 of the Freedom of Information Act.

12 (h) The Board shall promulgate rules regarding the
13 exercise of its discretion under this Section.

14 (Source: P.A. 98-558, eff. 1-1-14; 99-268, eff. 1-1-16;
15 99-628, eff. 1-1-17.)

16 (730 ILCS 5/3-3-8) (from Ch. 38, par. 1003-3-8)

17 Sec. 3-3-8. Length of parole and mandatory supervised
18 release; discharge.

19 (a) The length of parole for a person sentenced under the
20 law in effect prior to the effective date of this amendatory
21 Act of 1977 and the length of mandatory supervised release for
22 those sentenced under the law in effect on and after such
23 effective date shall be as set out in Section 5-8-1 unless
24 sooner terminated under paragraph (b) of this Section.

25 (b) The Prisoner Review Board may enter an order releasing

1 and discharging one from parole or mandatory supervised
2 release, and his or her commitment to the Department, when it
3 determines that he or she is likely to remain at liberty
4 without committing another offense. Before entering such an
5 order, the Prisoner Review Board shall provide notice and a
6 30-day opportunity to comment to any registered victim.

7 (b-1) Provided that the subject is in compliance with the
8 terms and conditions of his or her parole or mandatory
9 supervised release, the Prisoner Review Board shall reduce the
10 period of a parolee or releasee's parole or mandatory
11 supervised release by 90 days upon the parolee or releasee
12 receiving a high school diploma, associate's degree,
13 bachelor's degree, career certificate, or vocational technical
14 certification or upon passage of high school equivalency
15 testing during the period of his or her parole or mandatory
16 supervised release. A parolee or releasee shall provide
17 documentation from the educational institution or the source
18 of the qualifying educational or vocational credential to
19 their supervising officer for verification. Each reduction in
20 the period of a subject's term of parole or mandatory
21 supervised release shall be available only to subjects who
22 have not previously earned the relevant credential for which
23 they are receiving the reduction. As used in this Section,
24 "career certificate" means a certificate awarded by an
25 institution for satisfactory completion of a prescribed
26 curriculum that is intended to prepare an individual for

1 employment in a specific field.

2 (b-2) The Prisoner Review Board may release a low-risk and
3 need subject person from mandatory supervised release as
4 determined by an appropriate evidence-based risk and need
5 assessment.

6 (b-3) After the completion of at least 6 months for
7 offenses set forth in paragraphs (1.5) through (7) of
8 subsection (a) of Section 110-6.1 of the Code of Criminal
9 Procedure of 1963 and 3 months for all other offenses, and upon
10 completion of all mandatory conditions of parole or mandatory
11 supervised release set forth in paragraph (7.5) of subsection
12 (a) of Section 3-3-7 and subsection (b) of Section 3-3-7, the
13 Department of Corrections shall complete a report describing
14 whether the subject has completed the mandatory conditions of
15 parole or mandatory supervised release. The report shall
16 include whether the subject has complied with any mandatory
17 conditions of parole or mandatory supervised release relating
18 to orders of protection, civil no contact orders, or stalking
19 no contact orders. The report shall also indicate whether a
20 LEADS report reflects a conviction for a domestic violence
21 offense within the prior 5 years.

22 (c) The order of discharge shall become effective upon
23 entry of the order of the Board. The Board shall notify the
24 clerk of the committing court of the order. Upon receipt of
25 such copy, the clerk shall make an entry on the record judgment
26 that the sentence or commitment has been satisfied pursuant to

1 the order.

2 (d) Rights of the person discharged under this Section
3 shall be restored under Section 5-5-5.

4 (e) Upon a denial of early discharge under this Section,
5 the Prisoner Review Board shall provide the person on parole
6 or mandatory supervised release a list of steps or
7 requirements that the person must complete or meet to be
8 granted an early discharge at a subsequent review and share
9 the process for seeking a subsequent early discharge review
10 under this subsection. Upon the completion of such steps or
11 requirements, the person on parole or mandatory supervised
12 release may petition the Prisoner Review Board to grant them
13 an early discharge review. Within no more than 30 days of a
14 petition under this subsection, the Prisoner Review Board
15 shall review the petition and make a determination.

16 (Source: P.A. 103-271, eff. 1-1-24.)

17 (730 ILCS 5/3-3-9) (from Ch. 38, par. 1003-3-9)

18 Sec. 3-3-9. Violations; changes of conditions; preliminary
19 hearing; revocation of parole or mandatory supervised release;
20 revocation hearing.

21 (a) If prior to expiration or termination of the term of
22 parole or mandatory supervised release, a person violates a
23 condition set by the Prisoner Review Board or a condition of
24 parole or mandatory supervised release under Section 3-3-7 of
25 this Code to govern that term, the Board may:

1 (1) continue the existing term, with or without
2 modifying or enlarging the conditions; or

3 (1.5) for those released as a result of youthful
4 offender parole as set forth in Section 5-4.5-115 of this
5 Code, order that the inmate be subsequently rereleased to
6 serve a specified mandatory supervised release term not to
7 exceed the full term permitted under the provisions of
8 Section 5-4.5-115 and subsection (d) of Section 5-8-1 of
9 this Code and may modify or enlarge the conditions of the
10 release as the Board deems proper; or

11 (2) parole or release the person to a half-way house;
12 or

13 (3) revoke the parole or mandatory supervised release
14 and reconfine the person for a term computed in the
15 following manner:

16 (i) (A) For those sentenced under the law in
17 effect prior to this amendatory Act of 1977, the
18 recommitment shall be for any portion of the imposed
19 maximum term of imprisonment or confinement which had
20 not been served at the time of parole and the parole
21 term, less the time elapsed between the parole of the
22 person and the commission of the violation for which
23 parole was revoked;

24 (B) Except as set forth in paragraphs (C) and (D),
25 for those subject to mandatory supervised release
26 under paragraph (d) of Section 5-8-1 of this Code, the

1 recommitment shall be for the total mandatory
2 supervised release term, less the time elapsed between
3 the release of the person and the commission of the
4 violation for which mandatory supervised release is
5 revoked. The Board may also order that a prisoner
6 serve up to one year of the sentence imposed by the
7 court which was not served due to the accumulation of
8 sentence credit;

9 (C) For those subject to sex offender supervision
10 under clause (d) (4) of Section 5-8-1 of this Code, the
11 reconfinement period for violations of clauses (a) (3)
12 through (b-1) (15) of Section 3-3-7 shall not exceed 2
13 years from the date of reconfinement;

14 (D) For those released as a result of youthful
15 offender parole as set forth in Section 5-4.5-115 of
16 this Code, the reconfinement period shall be for the
17 total mandatory supervised release term, less the time
18 elapsed between the release of the person and the
19 commission of the violation for which mandatory
20 supervised release is revoked. The Board may also
21 order that a prisoner serve up to one year of the
22 mandatory supervised release term previously earned.
23 The Board may also order that the inmate be
24 subsequently rereleased to serve a specified mandatory
25 supervised release term not to exceed the full term
26 permitted under the provisions of Section 5-4.5-115

1 and subsection (d) of Section 5-8-1 of this Code and
2 may modify or enlarge the conditions of the release as
3 the Board deems proper;

4 (ii) the person shall be given credit against the
5 term of reimprisonment or reconfinement for time spent
6 in custody since he or she was paroled or released
7 which has not been credited against another sentence
8 or period of confinement;

9 (iii) (blank);

10 (iv) this Section is subject to the release under
11 supervision and the reparole and rerelease provisions
12 of Section 3-3-10.

13 (b) The Board may revoke parole or mandatory supervised
14 release for violation of a condition for the duration of the
15 term and for any further period which is reasonably necessary
16 for the adjudication of matters arising before its expiration.
17 The issuance of a warrant of arrest for an alleged violation of
18 the conditions of parole or mandatory supervised release shall
19 toll the running of the term until the final determination of
20 the charge. When parole or mandatory supervised release is not
21 revoked that period shall be credited to the term, unless a
22 community-based sanction is imposed as an alternative to
23 revocation and reincarceration, including a diversion
24 established by the Illinois Department of Corrections Parole
25 Services Unit prior to the holding of a preliminary parole
26 revocation hearing. Parolees who are diverted to a

1 community-based sanction shall serve the entire term of parole
2 or mandatory supervised release, if otherwise appropriate.

3 (b-5) The Board shall revoke parole or mandatory
4 supervised release for violation of the conditions prescribed
5 in paragraph (7.6) of subsection (a) of Section 3-3-7.

6 (c) A person charged with violating a condition of parole
7 or mandatory supervised release shall have a preliminary
8 hearing before a hearing officer designated by the Board to
9 determine if there is cause to hold the person for a revocation
10 hearing. However, no preliminary hearing need be held when
11 revocation is based upon new criminal charges and a court
12 finds probable cause on the new criminal charges or when the
13 revocation is based upon a new criminal conviction and a
14 certified copy of that conviction is available.

15 (d) Parole or mandatory supervised release shall not be
16 revoked without written notice to the offender setting forth
17 the violation of parole or mandatory supervised release
18 charged against him or her. Before the Board makes a decision
19 on whether to revoke an offender's parole or mandatory
20 supervised release, the Prisoner Review Board must run a LEADS
21 report. The Board shall publish on the Board's publicly
22 accessible website the name and identification number of
23 offenders who are alleged to have violated terms of parole or
24 mandatory supervised release and the Board's decision as to
25 whether to revoke parole or mandatory supervised release. This
26 information shall be accessible for a period of 60 days after

1 the information is posted.

2 (e) A hearing on revocation shall be conducted before at
3 least one member of the Prisoner Review Board. The Board may
4 meet and order its actions in panels of 3 or more members. The
5 action of a majority of the panel shall be the action of the
6 Board. A record of the hearing shall be made. At the hearing
7 the offender shall be permitted to:

8 (1) appear and answer the charge; and

9 (2) bring witnesses on his or her behalf.

10 (f) The Board shall either revoke parole or mandatory
11 supervised release or order the person's term continued with
12 or without modification or enlargement of the conditions.

13 (g) Parole or mandatory supervised release shall not be
14 revoked for failure to make payments under the conditions of
15 parole or release unless the Board determines that such
16 failure is due to the offender's willful refusal to pay.

17 (Source: P.A. 100-1182, eff. 6-1-19; 101-288, eff. 1-1-20.)

18 (730 ILCS 5/3-3-13) (from Ch. 38, par. 1003-3-13)

19 Sec. 3-3-13. Procedure for executive clemency.

20 (a) Petitions seeking pardon, commutation, or reprieve
21 shall be addressed to the Governor and filed with the Prisoner
22 Review Board. The petition shall be in writing and signed by
23 the person under conviction or by a person on his behalf. It
24 shall contain a brief history of the case, the reasons for
25 seeking executive clemency, and other relevant information the

1 Board may require.

2 (a-5) After a petition has been denied by the Governor,
3 the Board may not accept a repeat petition for executive
4 clemency for the same person until one full year has elapsed
5 from the date of the denial. The Chairman of the Board may
6 waive the one-year requirement if the petitioner offers in
7 writing new information that was unavailable to the petitioner
8 at the time of the filing of the prior petition and which the
9 Chairman determines to be significant. The Chairman also may
10 waive the one-year waiting period if the petitioner can show
11 that a change in circumstances of a compelling humanitarian
12 nature has arisen since the denial of the prior petition.

13 (b) Notice of the proposed application shall be given by
14 the Board to the committing court and the state's attorney of
15 the county where the conviction was had.

16 (b-5) Victims registered with the Board shall receive
17 reasonable written notice not less than 30 days prior to the
18 executive clemency hearing date. The victim has the right to
19 submit a victim statement, in support or opposition, to the
20 Prisoner Review Board for consideration at an executive
21 clemency hearing as provided in subsection (c) of this
22 Section. Victim statements provided to the Board shall be
23 confidential and privileged, including any statements received
24 prior to the effective date of this amendatory Act of the 101st
25 General Assembly, except if the statement was an oral
26 statement made by the victim at a hearing open to the public.

1 (c) The Board shall, upon due notice, give a hearing to
2 each application, allowing representation by counsel, if
3 desired, after which it shall confidentially advise the
4 Governor by a written report of its recommendations which
5 shall be determined by majority vote. The written report to
6 the Governor shall be confidential and privileged, including
7 any reports made prior to the effective date of this
8 amendatory Act of the 101st General Assembly. The Board shall
9 meet to consider such petitions no less than 4 times each year.

10 (d) The Governor shall decide each application and
11 communicate his decision to the Board which shall notify the
12 petitioner.

13 In the event a petitioner who has been convicted of a Class
14 X felony is granted a release, after the Governor has
15 communicated such decision to the Board, the Board shall give
16 written notice to the Sheriff of the county from which the
17 offender was sentenced if such sheriff has requested that such
18 notice be given on a continuing basis. In cases where arrest of
19 the offender or the commission of the offense took place in any
20 municipality with a population of more than 10,000 persons,
21 the Board shall also give written notice to the proper law
22 enforcement agency for said municipality which has requested
23 notice on a continuing basis.

24 (e) Nothing in this Section shall be construed to limit
25 the power of the Governor under the constitution to grant a
26 reprieve, commutation of sentence, or pardon.

1 (Source: P.A. 103-51, eff. 1-1-24.)

2 (730 ILCS 5/3-3-14)

3 Sec. 3-3-14. Procedure for medical release.

4 (a) Definitions.

5 (1) As used in this Section, "medically incapacitated"
6 means that a petitioner ~~an inmate~~ has any diagnosable
7 medical condition, including dementia and severe,
8 permanent medical or cognitive disability, that prevents
9 the petitioner ~~inmate~~ from completing more than one
10 activity of daily living without assistance or that
11 incapacitates the petitioner ~~inmate~~ to the extent that
12 institutional confinement does not offer additional
13 restrictions, and that the condition is unlikely to
14 improve noticeably in the future.

15 (2) As used in this Section, "terminal illness" means
16 a condition that satisfies all of the following criteria:

17 (i) the condition is irreversible and incurable;
18 and

19 (ii) in accordance with medical standards and a
20 reasonable degree of medical certainty, based on an
21 individual assessment of the petitioner ~~inmate~~, the
22 condition is likely to cause death to the petitioner
23 ~~inmate~~ within 18 months.

24 (b) The Prisoner Review Board shall consider an
25 application for compassionate release on behalf of any

1 petitioner inmate who meets any of the following:

2 (1) is suffering from a terminal illness; or

3 (2) has been diagnosed with a condition that will
4 result in medical incapacity within the next 6 months; or

5 (3) has become medically incapacitated subsequent to
6 sentencing due to illness or injury.

7 (c) Initial application.

8 (1) An initial application for medical release may be
9 filed with the Prisoner Review Board by the petitioner ~~an~~
10 ~~inmate~~, a prison official, a medical professional who has
11 treated or diagnosed the petitioner inmate, or the
12 petitioner's ~~an inmate's~~ spouse, parent, guardian,
13 grandparent, aunt or uncle, sibling, child over the age of
14 eighteen years, or attorney. If the initial application is
15 made by someone other than the petitioner inmate, the
16 petitioner inmate, or if the petitioner inmate is
17 medically unable to consent, the guardian or family member
18 designated to represent the petitioner's ~~inmate's~~
19 interests must consent to the application at the time of
20 the institutional hearing.

21 (2) Application materials shall be maintained on the
22 Prisoner Review Board's website and the Department of
23 Corrections' website and maintained in a clearly visible
24 place within the law library and the infirmary of every
25 penal institution and facility operated by the Department
26 of Corrections.

1 (3) The initial application need not be notarized, can
2 be sent via email or facsimile, and must contain the
3 following information:

4 (i) the petitioner's ~~inmate's~~ name and Illinois
5 Department of Corrections number;

6 (ii) the petitioner's ~~inmate's~~ diagnosis;

7 (iii) a statement that the petitioner ~~inmate~~ meets
8 one of the following diagnostic criteria:

9 (A) the petitioner ~~inmate~~ is suffering from a
10 terminal illness;

11 (B) the petitioner ~~inmate~~ has been diagnosed
12 with a condition that will result in medical
13 incapacity within the next 6 months; or

14 (C) the petitioner ~~inmate~~ has become medically
15 incapacitated subsequent to sentencing due to
16 illness or injury.

17 (3.5) The Prisoner Review Board shall place no
18 additional restrictions, limitations, or requirements on
19 applications from petitioners.

20 (4) Upon receiving the petitioner's ~~inmate's~~ initial
21 application, the Board shall order the Department of
22 Corrections to have a physician or nurse practitioner
23 evaluate the petitioner ~~inmate~~ and create a written
24 evaluation within ten days of the Board's order. The
25 evaluation shall include but need not be limited to:

26 (i) a concise statement of the petitioner ~~inmate's~~

1 medical diagnosis, including prognosis, likelihood of
2 recovery, and primary symptoms, to include
3 incapacitation; and

4 (ii) a statement confirming or denying that the
5 petitioner inmate meets one of the criteria stated in
6 subsection (b) of this Section.

7 (5) Upon a determination that the petitioner is
8 eligible for a hearing, the Prisoner Review Board shall:

9 (i) provide public notice of the petitioner's
10 name, docket number, counsel, and hearing date; and

11 (ii) provide a copy of the evaluation and any
12 medical records provided by the Department of
13 Corrections to the petitioner or the petitioner's
14 attorney upon scheduling the institutional hearing.

15 (d) Institutional hearing. ~~No public institutional hearing~~
16 ~~is required for consideration of a petition, but shall be~~
17 ~~granted at the request of the petitioner.~~ Hearings are public
18 unless the petitioner requests a non-public hearing. The
19 petitioner has a right to attend the hearing and to speak on
20 the petitioner's own behalf. The petitioner inmate may be
21 represented by counsel and may present witnesses to the Board
22 members. Hearings shall be governed by the Open Parole
23 Hearings Act. Members of the public shall be permitted to
24 freely attend public hearings without restriction.

25 (e) Voting procedure. Petitions shall be considered by
26 three-member panels, and decisions shall be made by simple

1 majority. Voting shall take place during the public hearing.

2 (f) Consideration. In considering a petition for release
3 under the statute, the Prisoner Review Board may consider the
4 following factors:

5 (i) the petitioner's ~~inmate's~~ diagnosis and
6 likelihood of recovery;

7 (ii) the approximate cost of health care to the
8 State should the petitioner ~~inmate~~ remain in custody;

9 (iii) the impact that the petitioner's ~~inmate's~~
10 continued incarceration may have on the provision of
11 medical care within the Department;

12 (iv) the present likelihood of and ability to pose
13 a substantial danger to the physical safety of a
14 specifically identifiable person or persons;

15 (v) any statements by the victim regarding
16 release; and

17 (vi) whether the petitioner's ~~inmate's~~ condition
18 was explicitly disclosed to the original sentencing
19 judge and taken into account at the time of
20 sentencing.

21 (f-1) Upon denying an eligible petitioner's application
22 for medical release, the Prisoner Review Board shall publish a
23 decision letter outlining the reason for denial. The decision
24 letter must include an explanation of each statutory factor
25 and the estimated annual cost of the petitioner's continued
26 incarceration, including the petitioner's medical care.

1 (g) Petitioners ~~Inmates~~ granted medical release shall be
2 released on mandatory supervised release for a period of 5
3 years subject to Section 3-3-8, which shall operate to
4 discharge any remaining term of years imposed upon him or her.
5 However, in no event shall the eligible person serve a period
6 of mandatory supervised release greater than the aggregate of
7 the discharged underlying sentence and the mandatory
8 supervised release period as set forth in Section 5-4.5-20.

9 (h) Within 90 days of the receipt of the initial
10 application, the Prisoner Review Board shall conduct a hearing
11 if a hearing is requested and render a decision granting or
12 denying the petitioner's request for release.

13 (i) Nothing in this statute shall preclude a petitioner
14 from seeking alternative forms of release, including clemency,
15 relief from the sentencing court, post-conviction relief, or
16 any other legal remedy.

17 (j) This act applies retroactively, and shall be
18 applicable to all currently incarcerated people in Illinois.

19 (k) Data report. The Department of Corrections and the
20 Prisoner Review Board shall release a report annually
21 published on their websites that reports the following
22 information about the Medical Release Program:

23 (1) The number of applications for medical release
24 received by the Board in the preceding year, and
25 information about those applications, including:

26 (i) demographic data about the petitioner

1 ~~individual~~, including race or ethnicity, gender, age,
2 and institution;

3 (ii) the highest class of offense for which the
4 petitioner ~~individual~~ is incarcerated;

5 (iii) the relationship of the petitioner ~~applicant~~
6 to the person completing the application;

7 (iv) whether the petitioner ~~applicant~~ had applied
8 for medical release before and been denied, and, if
9 so, when;

10 (v) whether the petitioner ~~person~~ applied as a
11 person who is medically incapacitated or a person who
12 is terminally ill; ~~and~~

13 (vi) a basic description of the underlying medical
14 condition that led to the application ; ~~and-~~

15 (vii) the institution in which the petitioner was
16 confined at the time of the application.

17 (2) The number of medical statements from the
18 Department of Corrections received by the Board.

19 (3) The number of institutional hearings on medical
20 release applications conducted by the Board including:-

21 (i) whether the petitioner was represented by an
22 attorney; and

23 (ii) whether the application was considered in a
24 public or non-public hearing.

25 (4) The number of people approved for medical release,
26 and information about them, including:

1 (i) demographic data about the individual
2 including race or ethnicity, gender, age, and zip code
3 to which they were released;

4 (ii) whether the person applied as a person who is
5 medically incapacitated or a person who is terminally
6 ill;

7 (iii) a basic description of the underlying
8 medical condition that led to the application, ~~and~~

9 (iv) a basic description of the medical setting
10 the person was released to; ~~and~~

11 (v) whether the petitioner was represented by an
12 attorney; and

13 (vi) whether the application was considered in a
14 public or non-public hearing.

15 (5) The number of people released on the medical
16 release program.

17 (6) The number of people approved for medical release
18 who experienced more than a one-month delay between
19 release decision and ultimate release, including:

20 (i) demographic data about the individuals
21 including race or ethnicity, gender and age;

22 (ii) the reason for the delay;

23 (iii) whether the person remains incarcerated; and

24 (iv) a basic description of the underlying medical
25 condition of the applying person.

26 (7) For those individuals released on mandatory

1 supervised release due to a granted application for
2 medical release:

3 (i) the number of individuals who were serving
4 terms of mandatory supervised release because of
5 medical release applications during the previous year;

6 (ii) the number of individuals who had their
7 mandatory supervised release revoked; and

8 (iii) the number of individuals who died during
9 the previous year.

10 (8) Information on seriously ill individuals
11 incarcerated at the Department of Corrections, including:

12 (i) the number of people currently receiving
13 full-time one-on-one medical care or assistance with
14 activities of daily living within Department of
15 Corrections facilities and whether that care is
16 provided by a medical practitioner or an incarcerated
17 person inmate, along with the institutions at which
18 they are incarcerated; and

19 (ii) the number of people who spent more than one
20 month in outside hospital care during the previous
21 year and their home institutions.

22 All the information provided in this report shall be
23 provided in aggregate, and nothing shall be construed to
24 require the public dissemination of any personal medical
25 information.

26 (Source: P.A. 102-494, eff. 1-1-22; 102-813, eff. 5-13-22.)

1 (730 ILCS 5/3-5-1)

2 Sec. 3-5-1. Master record file.

3 (a) The Department of Corrections and the Department of
4 Juvenile Justice shall maintain a master record file on each
5 person committed to it, which shall contain the following
6 information:

7 (1) all information from the committing court;

8 (1.5) ethnic and racial background data collected in
9 accordance with Section 4.5 of the Criminal Identification
10 Act and Section 2-5 of the No Representation Without
11 Population Act;

12 (1.6) the committed person's last known complete
13 street address prior to incarceration or legal residence
14 collected in accordance with Section 2-5 of the No
15 Representation Without Population Act;

16 (2) reception summary;

17 (3) evaluation and assignment reports and
18 recommendations;

19 (4) reports as to program assignment and progress;

20 (5) reports of disciplinary infractions and
21 disposition, including tickets and Administrative Review
22 Board action;

23 (6) any parole or aftercare release plan;

24 (7) any parole or aftercare release reports;

25 (8) the date and circumstances of final discharge;

- 1 (9) criminal history;
- 2 (10) current and past gang affiliations and ranks;
- 3 (11) information regarding associations and family
4 relationships;
- 5 (12) any grievances filed and responses to those
6 grievances;
- 7 (13) other information that the respective Department
8 determines is relevant to the secure confinement and
9 rehabilitation of the committed person;
- 10 (14) the last known address provided by the person
11 committed; and
- 12 (15) all medical and dental records.

13 (b) Except as provided in subsections (f) and (f-5), all
14 ~~All~~ files shall be confidential and access shall be limited to
15 authorized personnel of the respective Department or by
16 disclosure in accordance with a court order or subpoena.
17 Personnel of other correctional, welfare or law enforcement
18 agencies may have access to files under rules and regulations
19 of the respective Department. The respective Department shall
20 keep a record of all outside personnel who have access to
21 files, the files reviewed, any file material copied, and the
22 purpose of access. If the respective Department or the
23 Prisoner Review Board makes a determination under this Code
24 which affects the length of the period of confinement or
25 commitment, the committed person and his counsel shall be
26 advised of factual information relied upon by the respective

1 Department or Board to make the determination, provided that
2 the Department or Board shall not be required to advise a
3 person committed to the Department of Juvenile Justice any
4 such information which in the opinion of the Department of
5 Juvenile Justice or Board would be detrimental to his
6 treatment or rehabilitation.

7 (c) The master file shall be maintained at a place
8 convenient to its use by personnel of the respective
9 Department in charge of the person. When custody of a person is
10 transferred from the Department to another department or
11 agency, a summary of the file shall be forwarded to the
12 receiving agency with such other information required by law
13 or requested by the agency under rules and regulations of the
14 respective Department.

15 (d) The master file of a person no longer in the custody of
16 the respective Department shall be placed on inactive status
17 and its use shall be restricted subject to rules and
18 regulations of the Department.

19 (e) All public agencies may make available to the
20 respective Department on request any factual data not
21 otherwise privileged as a matter of law in their possession in
22 respect to individuals committed to the respective Department.

23 (f) A committed person may request a summary of the
24 committed person's master record file once per year and the
25 committed person's attorney may request one summary of the
26 committed person's master record file once per year. The

1 Department shall create a form for requesting this summary,
2 and shall make that form available to committed persons and to
3 the public on its website. Upon receipt of the request form,
4 the Department shall provide the summary within 15 days. The
5 summary must contain, unless otherwise prohibited by law:

6 (1) the person's name, ethnic, racial, last known
7 street address prior to incarceration or legal residence,
8 and other identifying information;

9 (2) all digitally available information from the
10 committing court;

11 (3) all information in the Offender 360 system on the
12 person's criminal history;

13 (4) the person's complete assignment history in the
14 Department of Corrections;

15 (5) the person's disciplinary card;

16 (6) additional records about up to 3 specific
17 disciplinary incidents as identified by the requester;

18 (7) any available records about up to 5 specific
19 grievances filed by the person, as identified by the
20 requester; and

21 (8) the records of all grievances filed on or after
22 January 1, 2023.

23 Notwithstanding any provision of this subsection (f) to
24 the contrary, a committed person's master record file is not
25 subject to disclosure and copying under the Freedom of
26 Information Act.

1 (f-5) At least 60 days before a person's executive
2 Clemency, medical release, or parole hearing, if requested,
3 the Department of Corrections shall provide the person and
4 their legal counsel, if retained, a copy of (i) the person's
5 disciplinary card and (ii) any available records of the
6 person's participation in programming and education.

7 (g) Subject to appropriation, on or before July 1, 2025,
8 the Department of Corrections shall digitalize all newly
9 committed persons' master record files who become incarcerated
10 and all other new information that the Department maintains
11 concerning its correctional institutions, facilities, and
12 individuals incarcerated.

13 (h) Subject to appropriation, on or before July 1, 2027,
14 the Department of Corrections shall digitalize all medical and
15 dental records in the master record files and all other
16 information that the Department maintains concerning its
17 correctional institutions and facilities in relation to
18 medical records, dental records, and medical and dental needs
19 of committed persons.

20 (i) Subject to appropriation, on or before July 1, 2029,
21 the Department of Corrections shall digitalize all information
22 in the master record files and all other information that the
23 Department maintains concerning its correctional institutions
24 and facilities.

25 (j) The Department of Corrections shall adopt rules to
26 implement subsections (g), (h), and (i) if appropriations are

1 available to implement these provisions.

2 (k) Subject to appropriation, the Department of
3 Corrections, in consultation with the Department of Innovation
4 and Technology, shall conduct a study on the best way to
5 digitize all Department of Corrections records and the impact
6 of that digitizing on State agencies, including the impact on
7 the Department of Innovation and Technology. The study shall
8 be completed on or before January 1, 2024.

9 (Source: P.A. 102-776, eff. 1-1-23; 102-784, eff. 5-13-22;
10 103-18, eff. 1-1-24; 103-71, eff. 6-9-23; 103-154, eff.
11 6-30-23; 103-605, eff. 7-1-24.)

12 (730 ILCS 5/3-14-1) (from Ch. 38, par. 1003-14-1)

13 Sec. 3-14-1. Release from the institution.

14 (a) Upon release of a person on parole, mandatory release,
15 final discharge, or pardon, the Department shall return all
16 property held for him, provide him with suitable clothing and
17 procure necessary transportation for him to his designated
18 place of residence and employment. It may provide such person
19 with a grant of money for travel and expenses which may be paid
20 in installments. The amount of the money grant shall be
21 determined by the Department.

22 (a-1) The Department shall, before a wrongfully imprisoned
23 person, as defined in Section 3-1-2 of this Code, is
24 discharged from the Department, provide him or her with any
25 documents necessary after discharge.

1 (a-2) The Department of Corrections may establish and
2 maintain, in any institution it administers, revolving funds
3 to be known as "Travel and Allowances Revolving Funds". These
4 revolving funds shall be used for advancing travel and expense
5 allowances to committed, paroled, and discharged prisoners.
6 The moneys paid into such revolving funds shall be from
7 appropriations to the Department for Committed, Paroled, and
8 Discharged Prisoners.

9 (a-3) Upon release of a person who is eligible to vote on
10 parole, mandatory release, final discharge, or pardon, the
11 Department shall provide the person with a form that informs
12 him or her that his or her voting rights have been restored and
13 a voter registration application. The Department shall have
14 available voter registration applications in the languages
15 provided by the Illinois State Board of Elections. The form
16 that informs the person that his or her rights have been
17 restored shall include the following information:

18 (1) All voting rights are restored upon release from
19 the Department's custody.

20 (2) A person who is eligible to vote must register in
21 order to be able to vote.

22 The Department of Corrections shall confirm that the
23 person received the voter registration application and has
24 been informed that his or her voting rights have been
25 restored.

26 (a-4) Prior to release of a person on parole, mandatory

1 supervised release, final discharge, or pardon, the Department
2 shall screen every person for Medicaid eligibility. Officials
3 of the correctional institution or facility where the
4 committed person is assigned shall assist an eligible person
5 to complete a Medicaid application to ensure that the person
6 begins receiving benefits as soon as possible after his or her
7 release. The application must include the eligible person's
8 address associated with his or her residence upon release from
9 the facility. If the residence is temporary, the eligible
10 person must notify the Department of Human Services of his or
11 her change in address upon transition to permanent housing.

12 (a-5) Upon release of a person from its custody to parole,
13 upon mandatory supervised release, or upon final discharge,
14 the Department shall run a LEADS report and shall notify the
15 person of all in-effect orders of protection issued against
16 the person under Article 112A of the Code of Criminal
17 Procedure of 1963 or under the Illinois Domestic Violence Act
18 of 1986 that are identified in the LEADS report.

19 (b) (Blank).

20 (c) Except as otherwise provided in this Code, the
21 Department shall establish procedures to provide written
22 notification of any release of any person who has been
23 convicted of a felony to the State's Attorney and sheriff of
24 the county from which the offender was committed, and the
25 State's Attorney and sheriff of the county into which the
26 offender is to be paroled or released. Except as otherwise

1 provided in this Code, the Department shall establish
2 procedures to provide written notification to the proper law
3 enforcement agency for any municipality of any release of any
4 person who has been convicted of a felony if the arrest of the
5 offender or the commission of the offense took place in the
6 municipality, if the offender is to be paroled or released
7 into the municipality, or if the offender resided in the
8 municipality at the time of the commission of the offense. If a
9 person convicted of a felony who is in the custody of the
10 Department of Corrections or on parole or mandatory supervised
11 release informs the Department that he or she has resided,
12 resides, or will reside at an address that is a housing
13 facility owned, managed, operated, or leased by a public
14 housing agency, the Department must send written notification
15 of that information to the public housing agency that owns,
16 manages, operates, or leases the housing facility. The written
17 notification shall, when possible, be given at least 14 days
18 before release of the person from custody, or as soon
19 thereafter as possible. The written notification shall be
20 provided electronically if the State's Attorney, sheriff,
21 proper law enforcement agency, or public housing agency has
22 provided the Department with an accurate and up to date email
23 address.

24 (c-1) (Blank).

25 (c-2) The Department shall establish procedures to provide
26 notice to the Illinois State Police of the release or

1 discharge of persons convicted of violations of the
2 Methamphetamine Control and Community Protection Act or a
3 violation of the Methamphetamine Precursor Control Act. The
4 Illinois State Police shall make this information available to
5 local, State, or federal law enforcement agencies upon
6 request.

7 (c-5) If a person on parole or mandatory supervised
8 release becomes a resident of a facility licensed or regulated
9 by the Department of Public Health, the Illinois Department of
10 Public Aid, or the Illinois Department of Human Services, the
11 Department of Corrections shall provide copies of the
12 following information to the appropriate licensing or
13 regulating Department and the licensed or regulated facility
14 where the person becomes a resident:

15 (1) The mittimus and any pre-sentence investigation
16 reports.

17 (2) The social evaluation prepared pursuant to Section
18 3-8-2.

19 (3) Any pre-release evaluation conducted pursuant to
20 subsection (j) of Section 3-6-2.

21 (4) Reports of disciplinary infractions and
22 dispositions.

23 (5) Any parole plan, including orders issued by the
24 Prisoner Review Board, and any violation reports and
25 dispositions.

26 (6) The name and contact information for the assigned

1 parole agent and parole supervisor.

2 This information shall be provided within 3 days of the
3 person becoming a resident of the facility.

4 (c-10) If a person on parole or mandatory supervised
5 release becomes a resident of a facility licensed or regulated
6 by the Department of Public Health, the Illinois Department of
7 Public Aid, or the Illinois Department of Human Services, the
8 Department of Corrections shall provide written notification
9 of such residence to the following:

10 (1) The Prisoner Review Board.

11 (2) The chief of police and sheriff in the
12 municipality and county in which the licensed facility is
13 located.

14 The notification shall be provided within 3 days of the
15 person becoming a resident of the facility.

16 (d) Upon the release of a committed person on parole,
17 mandatory supervised release, final discharge, or pardon, the
18 Department shall provide such person with information
19 concerning programs and services of the Illinois Department of
20 Public Health to ascertain whether such person has been
21 exposed to the human immunodeficiency virus (HIV) or any
22 identified causative agent of Acquired Immunodeficiency
23 Syndrome (AIDS).

24 (e) Upon the release of a committed person on parole,
25 mandatory supervised release, final discharge, pardon, or who
26 has been wrongfully imprisoned, the Department shall verify

1 the released person's full name, date of birth, and social
2 security number. If verification is made by the Department by
3 obtaining a certified copy of the released person's birth
4 certificate and the released person's social security card or
5 other documents authorized by the Secretary, the Department
6 shall provide the birth certificate and social security card
7 or other documents authorized by the Secretary to the released
8 person. If verification by the Department is done by means
9 other than obtaining a certified copy of the released person's
10 birth certificate and the released person's social security
11 card or other documents authorized by the Secretary, the
12 Department shall complete a verification form, prescribed by
13 the Secretary of State, and shall provide that verification
14 form to the released person.

15 (f) Forty-five days prior to the scheduled discharge of a
16 person committed to the custody of the Department of
17 Corrections, the Department shall give the person:

18 (1) who is otherwise uninsured an opportunity to apply
19 for health care coverage including medical assistance
20 under Article V of the Illinois Public Aid Code in
21 accordance with subsection (b) of Section 1-8.5 of the
22 Illinois Public Aid Code, and the Department of
23 Corrections shall provide assistance with completion of
24 the application for health care coverage including medical
25 assistance;

26 (2) information about obtaining a standard Illinois

1 Identification Card or a limited-term Illinois
2 Identification Card under Section 4 of the Illinois
3 Identification Card Act if the person has not been issued
4 an Illinois Identification Card under subsection (a-20) of
5 Section 4 of the Illinois Identification Card Act;

6 (3) information about voter registration and may
7 distribute information prepared by the State Board of
8 Elections. The Department of Corrections may enter into an
9 interagency contract with the State Board of Elections to
10 participate in the automatic voter registration program
11 and be a designated automatic voter registration agency
12 under Section 1A-16.2 of the Election Code;

13 (4) information about job listings upon discharge from
14 the correctional institution or facility;

15 (5) information about available housing upon discharge
16 from the correctional institution or facility;

17 (6) a directory of elected State officials and of
18 officials elected in the county and municipality, if any,
19 in which the committed person intends to reside upon
20 discharge from the correctional institution or facility;
21 and

22 (7) any other information that the Department of
23 Corrections deems necessary to provide the committed
24 person in order for the committed person to reenter the
25 community and avoid recidivism.

26 (g) Sixty days before the scheduled discharge of a person

1 committed to the custody of the Department or upon receipt of
2 the person's certified birth certificate and social security
3 card as set forth in subsection (d) of Section 3-8-1 of this
4 Act, whichever occurs later, the Department shall transmit an
5 application for an Identification Card to the Secretary of
6 State, in accordance with subsection (a-20) of Section 4 of
7 the Illinois Identification Card Act.

8 The Department may adopt rules to implement this Section.
9 (Source: P.A. 102-538, eff. 8-20-21; 102-558, eff. 8-20-21;
10 102-606, eff. 1-1-22; 102-813, eff. 5-13-22; 103-345, eff.
11 1-1-24.)

12 (730 ILCS 5/5-4.5-115)

13 Sec. 5-4.5-115. Parole review of persons under the age of
14 21 at the time of the commission of an offense.

15 (a) For purposes of this Section, "victim" means a victim
16 of a violent crime as defined in subsection (a) of Section 3 of
17 the Rights of Crime Victims and Witnesses Act including a
18 witness as defined in subsection (b) of Section 3 of the Rights
19 of Crime Victims and Witnesses Act; any person legally related
20 to the victim by blood, marriage, adoption, or guardianship;
21 any friend of the victim; or any concerned citizen.

22 (b) A person under 21 years of age at the time of the
23 commission of an offense or offenses, other than first degree
24 murder, and who is not serving a sentence for first degree
25 murder and who is sentenced on or after June 1, 2019 (the

1 effective date of Public Act 100-1182) shall be eligible for
2 parole review by the Prisoner Review Board after serving 10
3 years or more of his or her sentence or sentences, except for
4 those serving a sentence or sentences for: (1) aggravated
5 criminal sexual assault who shall be eligible for parole
6 review by the Prisoner Review Board after serving 20 years or
7 more of his or her sentence or sentences or (2) predatory
8 criminal sexual assault of a child who shall not be eligible
9 for parole review by the Prisoner Review Board under this
10 Section. A person under 21 years of age at the time of the
11 commission of first degree murder who is sentenced on or after
12 June 1, 2019 (the effective date of Public Act 100-1182) shall
13 be eligible for parole review by the Prisoner Review Board
14 after serving 20 years or more of his or her sentence or
15 sentences, except for those subject to a term of natural life
16 imprisonment under Section 5-8-1 of this Code or any person
17 subject to sentencing under subsection (c) of Section
18 5-4.5-105 of this Code, who shall be eligible for parole
19 review by the Prisoner Review Board after serving 40 years or
20 more of his or her sentence or sentences.

21 (c) Three years prior to becoming eligible for parole
22 review, the eligible person may file his or her petition for
23 parole review with the Prisoner Review Board. The petition
24 shall include a copy of the order of commitment and sentence to
25 the Department of Corrections for the offense or offenses for
26 which review is sought. Within 30 days of receipt of this

1 petition, the Prisoner Review Board shall determine whether
2 the petition is appropriately filed, and if so, shall set a
3 date for parole review 3 years from receipt of the petition and
4 notify the Department of Corrections within 10 business days.
5 If the Prisoner Review Board determines that the petition is
6 not appropriately filed, it shall notify the petitioner in
7 writing, including a basis for its determination.

8 (d) Within 6 months of the Prisoner Review Board's
9 determination that the petition was appropriately filed, a
10 representative from the Department of Corrections shall meet
11 with the eligible person and provide the inmate information
12 about the parole hearing process and personalized
13 recommendations for the inmate regarding his or her work
14 assignments, rehabilitative programs, and institutional
15 behavior. Following this meeting, the eligible person has 7
16 calendar days to file a written request to the representative
17 from the Department of Corrections who met with the eligible
18 person of any additional programs and services which the
19 eligible person believes should be made available to prepare
20 the eligible person for return to the community.

21 (e) One year prior to the person being eligible for
22 parole, counsel shall be appointed by the Prisoner Review
23 Board upon a finding of indigency. The eligible person may
24 waive appointed counsel or retain his or her own counsel at his
25 or her own expense.

26 (f) Nine months prior to the hearing, the Prisoner Review

1 Board shall provide the eligible person, and his or her
2 counsel, any written documents or materials it will be
3 considering in making its decision unless the written
4 documents or materials are specifically found to: (1) include
5 information which, if disclosed, would damage the therapeutic
6 relationship between the inmate and a mental health
7 professional; (2) subject any person to the actual risk of
8 physical harm; (3) threaten the safety or security of the
9 Department or an institution. In accordance with Section
10 4.5(d)(4) of the Rights of Crime Victims and Witnesses Act and
11 Section 10 of the Open Parole Hearings Act, victim statements
12 provided to the Board shall be confidential and privileged,
13 including any statements received prior to the effective date
14 of this amendatory Act of the 101st General Assembly, except
15 if the statement was an oral statement made by the victim at a
16 hearing open to the public. Victim statements shall not be
17 considered public documents under the provisions of the
18 Freedom of Information Act. The inmate or his or her attorney
19 shall not be given a copy of the statement, but shall be
20 informed of the existence of a victim statement and the
21 position taken by the victim on the inmate's request for
22 parole. This shall not be construed to permit disclosure to an
23 inmate of any information which might result in the risk of
24 threats or physical harm to a victim. The Prisoner Review
25 Board shall have an ongoing duty to provide the eligible
26 person, and his or her counsel, with any further documents or

1 materials that come into its possession prior to the hearing
2 subject to the limitations contained in this subsection.

3 (g) Not less than 12 months prior to the hearing, the
4 Prisoner Review Board shall provide notification to the
5 State's Attorney of the county from which the person was
6 committed and written notification to the victim or family of
7 the victim of the scheduled hearing place, date, and
8 approximate time. The written notification shall contain: (1)
9 information about their right to be present, appear in person
10 at the parole hearing, and their right to make an oral
11 statement and submit information in writing, by videotape,
12 tape recording, or other electronic means; (2) a toll-free
13 number to call for further information about the parole review
14 process; and (3) information regarding available resources,
15 including trauma-informed therapy, they may access. If the
16 Board does not have knowledge of the current address of the
17 victim or family of the victim, it shall notify the State's
18 Attorney of the county of commitment and request assistance in
19 locating the victim or family of the victim. Those victims or
20 family of the victims who advise the Board in writing that they
21 no longer wish to be notified shall not receive future
22 notices. A victim shall have the right to submit information
23 by videotape, tape recording, or other electronic means. The
24 victim may submit this material prior to or at the parole
25 hearing. The victim also has the right to be heard at the
26 parole hearing.

1 (h) The hearing conducted by the Prisoner Review Board
2 shall be governed by Sections 15 and 20, subsection (f) of
3 Section 5, subsections (a), (a-5), (b), (b-5), and (c) of
4 Section 10, and subsection (d) of Section 25 of the Open Parole
5 Hearings Act and Part 1610 of Title 20 of the Illinois
6 Administrative Code. The eligible person has a right to be
7 present at the Prisoner Review Board hearing, unless the
8 Prisoner Review Board determines the eligible person's
9 presence is unduly burdensome when conducting a hearing under
10 paragraph (6.6) of subsection (a) of Section 3-3-2 of this
11 Code. If a psychological evaluation is submitted for the
12 Prisoner Review Board's consideration, it shall be prepared by
13 a person who has expertise in adolescent brain development and
14 behavior, and shall take into consideration the diminished
15 culpability of youthful offenders, the hallmark features of
16 youth, and any subsequent growth and increased maturity of the
17 person. At the hearing, the eligible person shall have the
18 right to make a statement on his or her own behalf.

19 (i) Only upon motion for good cause shall the date for the
20 Prisoner Review Board hearing, as set by subsection (b) of
21 this Section, be changed. No less than 15 days prior to the
22 hearing, the Prisoner Review Board shall notify the victim or
23 victim representative, the attorney, and the eligible person
24 of the exact date and time of the hearing. All hearings shall
25 be open to the public.

26 (j) (Blank). ~~The Prisoner Review Board shall not parole~~

1 ~~the eligible person if it determines that:~~

2 ~~(1) there is a substantial risk that the eligible~~
3 ~~person will not conform to reasonable conditions of parole~~
4 ~~or aftercare release; or~~

5 ~~(2) the eligible person's release at that time would~~
6 ~~deprecate the seriousness of his or her offense or promote~~
7 ~~disrespect for the law; or~~

8 ~~(3) the eligible person's release would have a~~
9 ~~substantially adverse effect on institutional discipline.~~

10 ~~In considering the factors affecting the release~~
11 ~~determination under 20 Ill. Adm. Code 1610.50(b), the Prisoner~~
12 ~~Review Board panel shall consider the diminished culpability~~
13 ~~of youthful offenders, the hallmark features of youth, and any~~
14 ~~subsequent growth and maturity of the youthful offender during~~
15 ~~incarceration.~~

16 (j-5) In deciding whether to grant or deny parole, the
17 Board shall consider the following factors:

18 (1) participation in rehabilitative programming
19 available to the petitioner, including, but not limited
20 to, educational courses, vocational courses, life skills
21 courses, individual or group counseling courses, civics
22 education courses, peer education courses, independent
23 studies courses, substance abuse counseling courses, and
24 behavior modification courses;

25 (2) participation in professional licensing courses or
26 on-the-job training courses;

1 (3) letters from correctional staff, educational
2 faculty, community members, friends, and other
3 incarcerated persons;

4 (4) the petitioner's potential for rehabilitation or
5 the evidence of rehabilitation in the petitioner;

6 (5) the applicant's age at the time of the offense;

7 (6) the circumstances of the offense and the
8 petitioner's role and degree of participation in the
9 offense;

10 (7) the presence of a cognitive or developmental
11 disability in the petitioner at the time of the offense;

12 (8) the petitioner's family, home environment,
13 educational and social background at the time of the
14 offense;

15 (9) evidence that the petitioner has suffered from
16 post-traumatic stress disorder, adverse childhood
17 experiences, or other traumas that could have been a
18 contributing factor to a person's criminal behavior and
19 participation in the offense;

20 (10) the presence or expression by the petitioner of
21 remorse, compassion, or insight of harm and collateral
22 effects experienced by the victims;

23 (11) the commission of a serious disciplinary
24 infraction within the previous 5 years;

25 (12) a pattern of fewer serious institutional
26 disciplinary infractions within the previous 2 years;

1 (13) evidence that the petitioner has any serious
2 medical conditions;

3 (14) evidence that the Department is unable to meet
4 the petitioner's medical needs;

5 (15) the petitioner's reentry plan, including, but not
6 limited to, residence plans, employment plans, continued
7 education plans, rehabilitation plans, and counseling
8 plans.

9 No one factor in this subsection (j-5) shall be
10 dispositive. In considering the factors affecting the release
11 determination under 20 Ill. Adm. Code 1610.50(b), the Prisoner
12 Review Board panel shall consider the diminished culpability
13 of youthful offenders, the hallmark features of youth, and any
14 subsequent growth and maturity of the youthful offender during
15 incarceration.

16 (k) Unless denied parole under subsection (j) of this
17 Section and subject to the provisions of Section 3-3-9 of this
18 Code: (1) the eligible person serving a sentence for any
19 non-first degree murder offense or offenses, shall be released
20 on parole which shall operate to discharge any remaining term
21 of years sentence imposed upon him or her, notwithstanding any
22 required mandatory supervised release period the eligible
23 person is required to serve; and (2) the eligible person
24 serving a sentence for any first degree murder offense, shall
25 be released on mandatory supervised release for a period of 10
26 years subject to Section 3-3-8, which shall operate to

1 discharge any remaining term of years sentence imposed upon
2 him or her, however in no event shall the eligible person serve
3 a period of mandatory supervised release greater than the
4 aggregate of the discharged underlying sentence and the
5 mandatory supervised release period as sent forth in Section
6 5-4.5-20.

7 (l) If the Prisoner Review Board denies parole after
8 conducting the hearing under subsection (j) of this Section,
9 it shall issue a written decision which states the rationale
10 for denial, including the primary factors considered. This
11 decision shall be provided to the eligible person and his or
12 her counsel within 30 days.

13 (m) A person denied parole under subsection (j) of this
14 Section, who is not serving a sentence for either first degree
15 murder or aggravated criminal sexual assault, shall be
16 eligible for a second parole review by the Prisoner Review
17 Board 5 years after the written decision under subsection (l)
18 of this Section; a person denied parole under subsection (j)
19 of this Section, who is serving a sentence or sentences for
20 first degree murder or aggravated criminal sexual assault
21 shall be eligible for a second and final parole review by the
22 Prisoner Review Board 10 years after the written decision
23 under subsection (k) of this Section. The procedures for a
24 second parole review shall be governed by subsections (c)
25 through (k) of this Section.

26 (n) A person denied parole under subsection (m) of this

1 Section, who is not serving a sentence for either first degree
2 murder or aggravated criminal sexual assault, shall be
3 eligible for a third and final parole review by the Prisoner
4 Review Board 5 years after the written decision under
5 subsection (l) of this Section. The procedures for the third
6 and final parole review shall be governed by subsections (c)
7 through (k) of this Section.

8 (o) Notwithstanding anything else to the contrary in this
9 Section, nothing in this Section shall be construed to delay
10 parole or mandatory supervised release consideration for
11 petitioners who are or will be eligible for release earlier
12 than this Section provides. Nothing in this Section shall be
13 construed as a limit, substitution, or bar on a person's right
14 to sentencing relief, or any other manner of relief, obtained
15 by order of a court in proceedings other than as provided in
16 this Section.

17 (Source: P.A. 101-288, eff. 1-1-20; 102-1128, eff. 1-1-24.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.

1 INDEX

2 Statutes amended in order of appearance

3	40 ILCS 5/18-127	from Ch. 108 1/2, par. 18-127
4	725 ILCS 120/4.5	
5	725 ILCS 120/5	from Ch. 38, par. 1405
6	730 ILCS 5/3-3-1	from Ch. 38, par. 1003-3-1
7	730 ILCS 5/3-3-2	from Ch. 38, par. 1003-3-2
8	730 ILCS 5/3-3-5	from Ch. 38, par. 1003-3-5
9	730 ILCS 5/3-3-8	from Ch. 38, par. 1003-3-8
10	730 ILCS 5/3-3-9	from Ch. 38, par. 1003-3-9
11	730 ILCS 5/3-3-13	from Ch. 38, par. 1003-3-13
12	730 ILCS 5/3-3-14	
13	730 ILCS 5/3-5-1	
14	730 ILCS 5/3-14-1	from Ch. 38, par. 1003-14-1
15	730 ILCS 5/5-4.5-115	