

1 AN ACT concerning criminal law.

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

4 Section 5. The Illinois Crime Reduction Act of 2009 is  
5 amended by changing Section 10 as follows:

6 (730 ILCS 190/10)

7 Sec. 10. Evidence-Based Programming.

8 (a) Purpose. Research and practice have identified new  
9 strategies and policies that can result in a significant  
10 reduction in recidivism rates and the successful local  
11 reintegration of offenders. The purpose of this Section is to  
12 ensure that State and local agencies direct their resources to  
13 services and programming that have been demonstrated to be  
14 effective in reducing recidivism and reintegrating offenders  
15 into the locality.

16 (b) Evidence-based programming in local supervision.

17 (1) The Parole Division of the Department of  
18 Corrections and the Prisoner Review Board shall adopt  
19 policies, rules, and regulations that, within the first  
20 year of the adoption, validation, and utilization of the  
21 statewide, standardized risk assessment tool described in  
22 this Act, result in at least 25% of supervised individuals  
23 being supervised in accordance with evidence-based

1 practices; within 3 years of the adoption, validation, and  
2 utilization of the statewide, standardized risk assessment  
3 tool result in at least 50% of supervised individuals being  
4 supervised in accordance with evidence-based practices;  
5 and within 5 years of the adoption, validation, and  
6 utilization of the statewide, standardized risk assessment  
7 tool result in at least 75% of supervised individuals being  
8 supervised in accordance with evidence-based practices.  
9 The policies, rules, and regulations shall:

10 (A) Provide for a standardized individual case  
11 plan that follows the offender through the criminal  
12 justice system (including in-prison if the supervised  
13 individual is in prison) that is:

14 (i) Based on the assets of the individual as  
15 well as his or her risks and needs identified  
16 through the assessment tool as described in this  
17 Act.

18 (ii) Comprised of treatment and supervision  
19 services appropriate to achieve the purpose of  
20 this Act.

21 (iii) Consistently updated, based on program  
22 participation by the supervised individual and  
23 other behavior modification exhibited by the  
24 supervised individual.

25 (B) Concentrate resources and services on  
26 high-risk offenders.

1 (C) Provide for the use of evidence-based  
2 programming related to education, job training,  
3 cognitive behavioral therapy, and other programming  
4 designed to reduce criminal behavior.

5 (D) Establish a system of graduated responses.

6 (i) The system shall set forth a menu of  
7 presumptive responses for the most common types of  
8 supervision violations.

9 (ii) The system shall be guided by the model  
10 list of intermediate sanctions created by the  
11 Probation Services Division of the State of  
12 Illinois pursuant to subsection (1) of Section 15  
13 of the Probation and Probation Officers Act and the  
14 system of intermediate sanctions created by the  
15 Chief Judge of each circuit court pursuant to  
16 Section 5-6-1 of the Unified Code of Corrections.

17 (iii) The system of responses shall take into  
18 account factors such as the severity of the current  
19 violation; the supervised individual's risk level  
20 as determined by a validated assessment tool  
21 described in this Act; the supervised individual's  
22 assets; his or her previous criminal record; and  
23 the number and severity of any previous  
24 supervision violations.

25 (iv) The system shall also define positive  
26 reinforcements that supervised individuals may

1 receive for compliance with conditions of  
2 supervision.

3 (v) Response to violations should be swift and  
4 certain and should be imposed as soon as  
5 practicable but no longer than 3 working days of  
6 detection of the violation behavior.

7 (2) Conditions of local supervision (probation and  
8 mandatory supervised release). Conditions of local  
9 supervision whether imposed by a sentencing judge or the  
10 Prisoner Review Board shall be imposed in accordance with  
11 the offender's risks, assets, and needs as identified  
12 through the assessment tool described in this Act.

13 (3) The Department of Corrections and the Prisoner  
14 Review Board shall annually publish an exemplar copy of any  
15 evidence-based assessments, questionnaires, or other  
16 instruments used to set conditions of release.

17 (c) Evidence-based in-prison programming.

18 (1) The Department of Corrections shall adopt  
19 policies, rules, and regulations that, within the first  
20 year of the adoption, validation, and utilization of the  
21 statewide, standardized risk assessment tool described in  
22 this Act, result in at least 25% of incarcerated  
23 individuals receiving services and programming in  
24 accordance with evidence-based practices; within 3 years  
25 of the adoption, validation, and utilization of the  
26 statewide, standardized risk assessment tool result in at

1 least 50% of incarcerated individuals receiving services  
2 and programming in accordance with evidence-based  
3 practices; and within 5 years of the adoption, validation,  
4 and utilization of the statewide, standardized risk  
5 assessment tool result in at least 75% of incarcerated  
6 individuals receiving services and programming in  
7 accordance with evidence-based practices. The policies,  
8 rules, and regulations shall:

9 (A) Provide for the use and development of a case  
10 plan based on the risks, assets, and needs identified  
11 through the assessment tool as described in this Act.  
12 The case plan should be used to determine in-prison  
13 programming; should be continuously updated based on  
14 program participation by the prisoner and other  
15 behavior modification exhibited by the prisoner; and  
16 should be used when creating the case plan described in  
17 subsection (b).

18 (B) Provide for the use of evidence-based  
19 programming related to education, job training,  
20 cognitive behavioral therapy and other evidence-based  
21 programming.

22 (C) Establish education programs based on a  
23 teacher to student ratio of no more than 1:30.

24 (D) Expand the use of drug prisons, modeled after  
25 the Sheridan Correctional Center, to provide  
26 sufficient drug treatment and other support services

1 to non-violent inmates with a history of substance  
2 abuse.

3 (2) Participation and completion of programming by  
4 prisoners can impact earned time credit as determined under  
5 Section 3-6-3 of the Unified Code of Corrections.

6 (3) The Department of Corrections shall provide its  
7 employees with intensive and ongoing training and  
8 professional development services to support the  
9 implementation of evidence-based practices. The training  
10 and professional development services shall include  
11 assessment techniques, case planning, cognitive behavioral  
12 training, risk reduction and intervention strategies,  
13 effective communication skills, substance abuse treatment  
14 education and other topics identified by the Department or  
15 its employees.

16 (d) The Parole Division of the Department of Corrections  
17 and the Prisoner Review Board shall provide their employees  
18 with intensive and ongoing training and professional  
19 development services to support the implementation of  
20 evidence-based practices. The training and professional  
21 development services shall include assessment techniques, case  
22 planning, cognitive behavioral training, risk reduction and  
23 intervention strategies, effective communication skills,  
24 substance abuse treatment education, and other topics  
25 identified by the agencies or their employees.

26 (e) The Department of Corrections, the Prisoner Review

1 Board, and other correctional entities referenced in the  
2 policies, rules, and regulations of this Act shall design,  
3 implement, and make public a system to evaluate the  
4 effectiveness of evidence-based practices in increasing public  
5 safety and in successful reintegration of those under  
6 supervision into the locality. Annually, each agency shall  
7 submit to the Sentencing Policy Advisory Council a  
8 comprehensive report on the success of implementing  
9 evidence-based practices. The data compiled and analyzed by the  
10 Council shall be delivered annually to the Governor and the  
11 General Assembly.

12 (f) The Department of Corrections and the Prisoner Review  
13 Board shall release a report annually published on their  
14 websites that reports the following information about the usage  
15 of electronic monitoring and GPS monitoring as a condition of  
16 parole and mandatory supervised release during the prior  
17 calendar year:

18 (1) demographic data of individuals on electronic  
19 monitoring and GPS monitoring, separated by the following  
20 categories:

21 (A) race or ethnicity;

22 (B) gender; and

23 (C) age;

24 (2) incarceration data of individuals subject to  
25 conditions of electronic or GPS monitoring, separated by  
26 the following categories:

1           (A) highest class of offense for which the  
2           individuals is currently serving a term of release; and

3           (B) length of imprisonment served prior to the  
4           current release period;

5           (3) the number of individuals subject to conditions of  
6           electronic or GPS monitoring, separated by the following  
7           categories:

8           (A) the number of individuals subject to  
9           monitoring under Section 5-8A-6 of the Unified Code of  
10           Corrections;

11           (B) the number of individuals subject monitoring  
12           under Section 5-8A-7 of the Unified Code of  
13           Corrections;

14           (C) the number of individuals subject to  
15           monitoring under a discretionary order of the Prisoner  
16           Review Board at the time of their release; and

17           (D) the number of individuals subject to  
18           monitoring as a sanction for violations of parole or  
19           mandatory supervised release, separated by the  
20           following categories:

21           (i) the number of individuals subject to  
22           monitoring as part of a graduated sanctions  
23           program; and

24           (ii) the number of individuals subject to  
25           monitoring as a new condition of re-release after a  
26           revocation hearing before the Prisoner Review



1           Board;

2           (4) the number of discretionary monitoring orders  
3           issued by the Prisoner Review Board, separated by the  
4           following categories:

5                   (A) less than 30 days;

6                   (B) 31 to 60 days;

7                   (C) 61 to 90 days;

8                   (D) 91 to 120 days;

9                   (E) 121 to 150 days;

10                  (F) 151 to 180 days;

11                  (G) 181 to 364 days;

12                  (H) 365 days or more; and

13                  (I) duration of release term;

14           (5) the number of discretionary monitoring orders by  
15           the Board which removed or terminated monitoring prior to  
16           the completion of the original period ordered;

17           (6) the number and severity category for sanctions  
18           imposed on individuals on electronic or GPS monitoring,  
19           separated by the following categories:

20                   (A) absconding from electronic monitoring or GPS;

21                   (B) tampering or removing the electronic  
22           monitoring or GPS device;

23                   (C) unauthorized leaving of the residence;

24                   (D) presence of the individual in a prohibited  
25           area; or

26                   (E) other violations of the terms of the electronic

1           monitoring program;

2           (7) the number of individuals for whom a parole  
3 revocation case was filed for failure to comply with the  
4 terms of electronic or GPS monitoring, separated by the  
5 following categories:

6           (A) cases when failure to comply with the terms of  
7 monitoring was the sole violation alleged; and

8           (B) cases when failure to comply with the terms of  
9 monitoring was alleged in conjunction with other  
10 alleged violations;

11          (8) residential data for individuals subject to  
12 electronic or GPS monitoring, separated by the following  
13 categories:

14          (A) the county of the residence address for  
15 individuals subject to electronic or GPS monitoring as  
16 a condition of their release; and

17          (B) for counties with a population over 3,000,000,  
18 the zip codes of the residence address for individuals  
19 subject to electronic or GPS monitoring as a condition  
20 of their release;

21          (9) the number of individuals for whom parole  
22 revocation cases were filed due to violations of paragraph  
23 (1) of subsection (a) of Section 3-3-7 of the Unified Code  
24 of Corrections, separated by the following categories:

25          (A) the number of individuals whose violation of  
26 paragraph (1) of subsection (a) of Section 3-3-7 of the

1 Unified Code of Corrections allegedly occurred while  
2 the individual was subject to conditions of electronic  
3 or GPS monitoring;

4 (B) the number of individuals who had violations of  
5 paragraph (1) of subsection (a) of Section 3-3-7 of the  
6 Unified Code of Corrections alleged against them who  
7 were never subject to electronic or GPS monitoring  
8 during their current term of release; and

9 (C) the number of individuals who had violations of  
10 paragraph (1) of subsection (a) of Section 3-3-7 of the  
11 Unified Code of Corrections alleged against them who  
12 were subject to electronic or GPS monitoring for any  
13 period of time during their current term of their  
14 release, but who were not subject to such monitoring at  
15 the time of the alleged violation of paragraph (1) of  
16 subsection (a) of Section 3-3-7 of the Unified Code of  
17 Corrections.

18 (Source: P.A. 96-761, eff. 1-1-10.)