

HB0406



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB0406

by Rep. Michael J. Madigan

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-14-2

from Ch. 38, par. 1003-14-2

Amends the Unified Code of Corrections. Makes a technical change in a Section concerning the supervision of persons on parole or mandatory supervised release.

LRB101 03663 SLF 48671 b

A BILL FOR

1 AN ACT concerning criminal law.

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

4 Section 5. The Unified Code of Corrections is amended by
5 changing Section 3-14-2 as follows:

6 (730 ILCS 5/3-14-2) (from Ch. 38, par. 1003-14-2)

7 Sec. 3-14-2. Supervision on Parole, Mandatory Supervised
8 Release and Release by Statute.

9 (a) The ~~The~~ Department shall retain custody of all persons
10 placed on parole or mandatory supervised release or released
11 pursuant to Section 3-3-10 of this Code and shall supervise
12 such persons during their parole or release period in accord
13 with the conditions set by the Prisoner Review Board. Such
14 conditions shall include referral to an alcohol or drug abuse
15 treatment program, as appropriate, if such person has
16 previously been identified as having an alcohol or drug abuse
17 problem. Such conditions may include that the person use an
18 approved electronic monitoring device subject to Article 8A of
19 Chapter V.

20 (b) The Department shall assign personnel to assist persons
21 eligible for parole in preparing a parole plan. Such Department
22 personnel shall make a report of their efforts and findings to
23 the Prisoner Review Board prior to its consideration of the

1 case of such eligible person.

2 (c) A copy of the conditions of his parole or release shall
3 be signed by the parolee or releasee and given to him and to
4 his supervising officer who shall report on his progress under
5 the rules and regulations of the Prisoner Review Board. The
6 supervising officer shall report violations to the Prisoner
7 Review Board and shall have the full power of peace officers in
8 the arrest and retaking of any parolees or releasees or the
9 officer may request the Department to issue a warrant for the
10 arrest of any parolee or releasee who has allegedly violated
11 his parole or release conditions.

12 (c-1) The supervising officer shall request the Department
13 to issue a parole violation warrant, and the Department shall
14 issue a parole violation warrant, under the following
15 circumstances:

16 (1) if the parolee or releasee commits an act that
17 constitutes a felony using a firearm or knife,

18 (2) if applicable, fails to comply with the
19 requirements of the Sex Offender Registration Act,

20 (3) if the parolee or releasee is charged with:

21 (A) a felony offense of domestic battery under
22 Section 12-3.2 of the Criminal Code of 1961 or the
23 Criminal Code of 2012,

24 (B) aggravated domestic battery under Section
25 12-3.3 of the Criminal Code of 1961 or the Criminal
26 Code of 2012,

1 (C) stalking under Section 12-7.3 of the Criminal
2 Code of 1961 or the Criminal Code of 2012,

3 (D) aggravated stalking under Section 12-7.4 of
4 the Criminal Code of 1961 or the Criminal Code of 2012,

5 (E) violation of an order of protection under
6 Section 12-3.4 or 12-30 of the Criminal Code of 1961 or
7 the Criminal Code of 2012, or

8 (F) any offense that would require registration as
9 a sex offender under the Sex Offender Registration Act,
10 or

11 (4) if the parolee or releasee is on parole or
12 mandatory supervised release for a murder, a Class X felony
13 or a Class 1 felony violation of the Criminal Code of 1961
14 or the Criminal Code of 2012, or any felony that requires
15 registration as a sex offender under the Sex Offender
16 Registration Act and commits an act that constitutes first
17 degree murder, a Class X felony, a Class 1 felony, a Class
18 2 felony, or a Class 3 felony.

19 A sheriff or other peace officer may detain an alleged
20 parole or release violator until a warrant for his return to
21 the Department can be issued. The parolee or releasee may be
22 delivered to any secure place until he can be transported to
23 the Department. The officer or the Department shall file a
24 violation report with notice of charges with the Prisoner
25 Review Board.

26 (d) The supervising officer shall regularly advise and

1 consult with the parolee or releasee, assist him in adjusting
2 to community life, inform him of the restoration of his rights
3 on successful completion of sentence under Section 5-5-5. If
4 the parolee or releasee has been convicted of a sex offense as
5 defined in the Sex Offender Management Board Act, the
6 supervising officer shall periodically, but not less than once
7 a month, verify that the parolee or releasee is in compliance
8 with paragraph (7.6) of subsection (a) of Section 3-3-7.

9 (e) Supervising officers shall receive specialized
10 training in the special needs of female releasees or parolees
11 including the family reunification process.

12 (f) The supervising officer shall keep such records as the
13 Prisoner Review Board or Department may require. All records
14 shall be entered in the master file of the individual.

15 (Source: P.A. 96-282, eff. 1-1-10; 96-1447, eff. 8-20-10;
16 97-389, eff. 8-15-11; 97-1150, eff. 1-25-13.)