



Sen. Kimberly A. Lightford

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10100SB2114sam001

LRB101 11222 RLC 70668 a

1 AMENDMENT TO SENATE BILL 2114

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2114 by replacing  
3 everything after the enacting clause with the following:

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

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

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

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

15 (b) If the person under consideration for parole is in the  
16 custody of the Department, at least one member of the Board

1 shall interview him or her, and a report of that interview  
2 shall be available for the Board's consideration. However, in  
3 the discretion of the Board, the interview need not be  
4 conducted if a psychiatric examination determines that the  
5 person could not meaningfully contribute to the Board's  
6 consideration. The Board may in its discretion parole a person  
7 who is then outside the jurisdiction on his or her record  
8 without an interview. The Board need not hold a hearing or  
9 interview a person who is paroled under paragraphs (d) or (e)  
10 of this Section or released on Mandatory release under Section  
11 3-3-10.

12 (c) The Board shall not parole a person eligible for parole  
13 if it determines that:

14 (1) there is a substantial risk that he or she will not  
15 conform to reasonable conditions of parole or aftercare  
16 release; or

17 (2) his or her release at that time would deprecate the  
18 seriousness of his or her offense or promote disrespect for  
19 the law; or

20 (3) his or her release would have a substantially  
21 adverse effect on institutional discipline.

22 (d) (Blank).

23 (e) A person who has served the maximum term of  
24 imprisonment imposed at the time of sentencing less time credit  
25 for good behavior shall be released on parole to serve a period  
26 of parole under Section 5-8-1.

1           (f) The Board shall render its decision within a reasonable  
2 time after hearing and shall state the basis therefor both in  
3 the records of the Board and in written notice to the person on  
4 whose application it has acted. In its decision, the Board  
5 shall set the person's time for parole, or if it denies parole  
6 it shall provide for a rehearing not less frequently than once  
7 every year, except that the Board may, after denying parole,  
8 schedule a rehearing no later than 5 years from the date of the  
9 parole denial, if the Board finds that it is not reasonable to  
10 expect that parole would be granted at a hearing prior to the  
11 scheduled rehearing date. If the Board shall parole a person,  
12 and, if he or she is not released within 90 days from the  
13 effective date of the order granting parole, the matter shall  
14 be returned to the Board for review.

15           (f-1) If the Board paroles a person who is eligible for  
16 commitment as a sexually violent person, the effective date of  
17 the Board's order shall be stayed for 90 days for the purpose  
18 of evaluation and proceedings under the Sexually Violent  
19 Persons Commitment Act.

20           (g) The Board shall maintain a registry of decisions in  
21 which parole has been granted, which shall include the name and  
22 case number of the prisoner, the highest charge for which the  
23 prisoner was sentenced, the length of sentence imposed, the  
24 date of the sentence, the date of the parole, and the basis for  
25 the decision of the Board to grant parole and the vote of the  
26 Board on any such decisions. The registry shall be made

1 available for public inspection and copying during business  
2 hours and shall be a public record pursuant to the provisions  
3 of the Freedom of Information Act.

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

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

8 (730 ILCS 5/3-3-14 new)

9 Sec. 3-3-14. Long term imprisonment; petition for parole.

10 (a) A committed person who has attained the age of 60 years  
11 and served at least 20 consecutive years of imprisonment or a  
12 committed person who has served 30 consecutive years of  
13 imprisonment may submit a petition to the Prisoner Review Board  
14 seeking parole.

15 (b) The petition shall contain:

16 (1) a statement by the petitioner as to the reasons why  
17 the petitioner believes he or she should be paroled,  
18 including estimated costs of continuing imprisonment;

19 (2) documentation of the petitioner's rehabilitation  
20 during the period of the petitioner's incarceration,  
21 including remorse for his or her criminal behavior, if  
22 applicable, and his or her commitment not to recidivate;

23 (3) character references and community support for the  
24 petitioner's release;

25 (4) evidence of the petitioner's participation in

1 educational, vocational, substance abuse, behavior  
2 modification programs, life skills courses, re-entry  
3 planning, or correctional industry programs and  
4 independent efforts at rehabilitation;

5 (5) evidence of the petitioner's employment history in  
6 the correctional institution;

7 (6) the petitioner's criminal history;

8 (7) the petitioner's disciplinary history while  
9 incarcerated in the correctional institution; and

10 (8) the petitioner's plans for housing upon release  
11 from incarceration.

12 If the programs described in paragraph (4) of this  
13 subsection (b) or employment opportunities were not available  
14 in the correctional institution, the Board shall not penalize  
15 the committed person in his or her petition for parole under  
16 this Section.

17 (c) Victims' families shall be notified in a timely manner  
18 and provided opportunity to participate at the parole hearing  
19 concerning the petitioner's application for parole under this  
20 Section in accordance with the Rights of Crime Victims and  
21 Witnesses Act, the Open Parole Hearings Act, and this Article.

22 (d) Prisoner Review Board hearings under this Section shall  
23 be conducted by a panel of at least 8 members of the Board and a  
24 majority vote of the panel is required to grant the petition  
25 and release the petitioner on parole.

26 (e) When parole is denied under this Section a written

1 statement shall be submitted by the Board that shall include  
2 when the petitioner is eligible to reapply for parole under  
3 this Section; which hearing shall be held no later than 3 years  
4 after denial of parole."