



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB1972

Introduced 2/7/2008, by Sen. William R. Haine

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-14-2

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

Amends the Unified Code of Corrections. Provides that the supervising officer of a parolee or releasee may report violations of the conditions of parole or mandatory supervised release to the State's Attorney of the county in which the violation occurred. Provides that any person who knowingly violates a condition of his or her parole or mandatory supervised release commits a Class 4 felony. Provides that upon notice by the State's Attorney of the county where the violation occurred that charges have been filed for a violation of the terms of a parolee or releasee's probation or mandatory supervised release, the Department shall immediately terminate any proceedings regarding the violations and transport the violator to the sheriff in that county. Effective immediately.

LRB095 15258 RLC 41243 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

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 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 may report such violations to the State's
8 Attorney of the county in which the violation occurred; and
9 shall have the full power of peace officers in the arrest and
10 retaking of any parolees or releasees or the officer may
11 request the Department to issue a warrant for the arrest of any
12 parolee or releasee who has allegedly violated his parole or
13 release conditions. Any person who knowingly violates a
14 condition of his or her parole or mandatory supervised release
15 commits a Class 4 felony. If the parolee or releasee commits an
16 act that constitutes a felony using a firearm or knife, or, if
17 applicable, fails to comply with the requirements of the Sex
18 Offender Registration Act, the officer shall request the
19 Department to issue a warrant and the Department shall issue
20 the warrant and the officer or the Department shall file a
21 violation report with notice of charges with the Prisoner
22 Review Board and unless otherwise advised shall report such
23 violations to the State's Attorney of the county in which the
24 violation occurred. A sheriff or other peace officer may detain
25 an alleged parole or release violator until a warrant for his
26 return to the Department can be issued. The parolee or releasee

1 may be delivered to any secure place until he can be
2 transported to the Department. Upon notice by the State's
3 Attorney of the county where the violation occurred that
4 charges have been filed for a violation of the terms of a
5 parolee or releasee's probation or mandatory supervised
6 release, the Department shall immediately terminate any
7 proceedings regarding the violations and transport the
8 violator to the sheriff in that county.

9 (d) The supervising officer shall regularly advise and
10 consult with the parolee or releasee, assist him in adjusting
11 to community life, inform him of the restoration of his rights
12 on successful completion of sentence under Section 5-5-5. If
13 the parolee or releasee has been convicted of a sex offense as
14 defined in the Sex Offender Management Board Act, the
15 supervising officer shall periodically, but not less than once
16 a month, verify that the parolee or releasee is in compliance
17 with paragraph (7.6) of subsection (a) of Section 3-3-7.

18 (e) Supervising officers shall receive specialized
19 training in the special needs of female releasees or parolees
20 including the family reunification process.

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

24 (Source: P.A. 93-979, eff. 8-20-04; 94-161, eff. 7-11-05.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.