



Sen. Thomas Johnson

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09700SB1471sam001

LRB097 07016 RLC 53817 a

1 AMENDMENT TO SENATE BILL 1471

2 AMENDMENT NO. _____. Amend Senate Bill 1471 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 3-3-4 as follows:

6 (730 ILCS 5/3-3-4) (from Ch. 38, par. 1003-3-4)

7 Sec. 3-3-4. Preparation for Parole Hearing.

8 (a) The Prisoner Review Board shall consider the parole of
9 each eligible person committed to the Adult Division at least
10 30 days prior to the date he shall first become eligible for
11 parole, and shall consider the parole of each person committed
12 to the Department of Juvenile Justice as a delinquent at least
13 30 days prior to the expiration of the first year of
14 confinement.

15 (b) A person eligible for parole shall, no less than 15
16 days in advance of his parole interview, prepare a parole plan

1 in accordance with the rules of the Prisoner Review Board. The
2 person shall be assisted in preparing his parole plan by
3 personnel of the Department of Corrections, or the Department
4 of Juvenile Justice in the case of a person committed to that
5 Department, and may, for this purpose, be released on furlough
6 under Article 11 or on authorized absence under Section 3-9-4.
7 The appropriate Department shall also provide assistance in
8 obtaining information and records helpful to the individual for
9 his parole hearing. If the person eligible for parole has a
10 petition or any written submissions prepared on his or her
11 behalf by an attorney or other representative, the attorney or
12 representative for the person eligible for parole must serve by
13 certified mail the State's Attorney of the county where he or
14 she was prosecuted with the petition or any written submissions
15 15 days after his or her parole interview. The State's Attorney
16 shall provide the attorney for the person eligible for parole
17 with a copy of his or her letter in opposition to parole via
18 certified mail within 5 business days of the en banc hearing.

19 (c) Any member of the Board shall have access at all
20 reasonable times to any committed person and to his master
21 record file within the Department, and the Department shall
22 furnish such a report to the Board concerning the conduct and
23 character of any such person prior to his or her parole
24 interview.

25 (d) In making its determination of parole, the Board shall
26 consider:

1 (1) material transmitted to the Department of Juvenile
2 Justice by the clerk of the committing court under Section
3 5-4-1 or Section 5-10 of the Juvenile Court Act or Section
4 5-750 of the Juvenile Court Act of 1987;

5 (2) the report under Section 3-8-2 or 3-10-2;

6 (3) a report by the Department and any report by the
7 chief administrative officer of the institution or
8 facility;

9 (4) a parole progress report;

10 (5) a medical and psychological report, if requested by
11 the Board;

12 (6) material in writing, or on film, video tape or
13 other electronic means in the form of a recording submitted
14 by the person whose parole is being considered; and

15 (7) material in writing, or on film, video tape or
16 other electronic means in the form of a recording or
17 testimony submitted by the State's Attorney and the victim
18 or a concerned citizen pursuant to the Rights of Crime
19 Victims and Witnesses Act.

20 (e) The prosecuting State's Attorney's office shall
21 receive from the Board reasonable written notice not less than
22 30 days prior to the parole interview and may submit relevant
23 information by oral argument or testimony of victims and
24 concerned citizens, or both, in writing, or on film, video tape
25 or other electronic means or in the form of a recording to the
26 Board for its consideration. Upon written request of the

1 State's Attorney's office, the Prisoner Review Board shall hear
2 protests to parole, except in counties of 1,500,000 or more
3 inhabitants where there shall be standing objections to all
4 such petitions. If a State's Attorney who represents a county
5 of less than 1,500,000 inhabitants requests a protest hearing,
6 the inmate's counsel or other representative shall also receive
7 notice of such request. This hearing shall take place the month
8 following the inmate's parole interview. If the inmate's parole
9 interview is rescheduled then the Prisoner Review Board shall
10 promptly notify the State's Attorney of the new date. The
11 person eligible for parole shall be heard at the next scheduled
12 en banc hearing date. If the case is to be continued, the
13 State's Attorney's office and the attorney or representative
14 for the person eligible for parole will be notified of any
15 continuance within 5 business days. The State's Attorney may
16 waive the written notice.

17 (f) The victim of the violent crime for which the prisoner
18 has been sentenced shall receive notice of a parole hearing as
19 provided in paragraph (4) of subsection (d) of Section 4.5 of
20 the Rights of Crime Victims and Witnesses Act.

21 (g) Any recording considered under the provisions of
22 subsection (d)(6), (d)(7) or (e) of this Section shall be in
23 the form designated by the Board. Such recording shall be both
24 visual and aural. Every voice on the recording and person
25 present shall be identified and the recording shall contain
26 either a visual or aural statement of the person submitting

1 such recording, the date of the recording and the name of the
2 person whose parole eligibility is being considered. Such
3 recordings shall be retained by the Board and shall be deemed
4 to be submitted at any subsequent parole hearing if the victim
5 or State's Attorney submits in writing a declaration clearly
6 identifying such recording as representing the present
7 position of the victim or State's Attorney regarding the issues
8 to be considered at the parole hearing.

9 (h) The Board shall not release any material to the inmate,
10 the inmate's attorney, any third party, or any other person
11 containing any information from the victim or from a person
12 related to the victim by blood, adoption, or marriage who has
13 written objections, testified at any hearing, or submitted
14 audio or visual objections to the inmate's parole, unless
15 provided with a waiver from that objecting party.

16 (Source: P.A. 96-875, eff. 1-22-10.)".