

AN ACT concerning criminal law.

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

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

(730 ILCS 190/10)

Sec. 10. Evidence-Based Programming.

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

(b) Evidence-based programming in local supervision.

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

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

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

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

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

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

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

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

(D) Establish a system of graduated responses.

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

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

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

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

receive for compliance with conditions of supervision.

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

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

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

(c) Evidence-based in-prison programming.

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

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

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

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

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

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

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

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

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

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

(e) The Department of Corrections, the Prisoner Review

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

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

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

(A) race or ethnicity;

(B) gender; and

(C) age;

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

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

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

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

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

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

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

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

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

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



Board;

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

(A) less than 30 days;

(B) 31 to 60 days;

(C) 61 to 90 days;

(D) 91 to 120 days;

(E) 121 to 150 days;

(F) 151 to 180 days;

(G) 181 to 364 days;

(H) 365 days or more; and

(I) duration of release term;

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

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

(A) absconding from electronic monitoring or GPS;

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

(C) unauthorized leaving of the residence;

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

(E) other violations of the terms of the electronic

monitoring program;

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

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

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

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

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

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

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

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

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

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

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

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