

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

6 (730 ILCS 190/10)

7 Sec. 10. Evidence-Based Programming.

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

16 (b) Evidence-based programming in local supervision.

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

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

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

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

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

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

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

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

5 (D) Establish a system of graduated responses.

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

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

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

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

1 receive for compliance with conditions of
2 supervision.

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

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

13 (3) The Department of Corrections, Prisoner Review
14 Board, and other correctional entities referenced in the
15 policies shall annually publish a report on their use of
16 evidence-based practices to set conditions of local
17 supervision and mandatory supervised release including:

18 (A) the factors that contribute to decisions on
19 what conditions should be imposed, and the method by
20 which those factors are calculated and weighted in the
21 overall decision of what conditions shall be imposed;
22 and

23 (B) the text and content of any evidence-based
24 assessments, questionnaires, or other methods used to
25 set conditions of release.

26 (c) Evidence-based in-prison programming.

1 (1) The Department of Corrections shall adopt
2 policies, rules, and regulations that, within the first
3 year of the adoption, validation, and utilization of the
4 statewide, standardized risk assessment tool described in
5 this Act, result in at least 25% of incarcerated
6 individuals receiving services and programming in
7 accordance with evidence-based practices; within 3 years
8 of the adoption, validation, and utilization of the
9 statewide, standardized risk assessment tool result in at
10 least 50% of incarcerated individuals receiving services
11 and programming in accordance with evidence-based
12 practices; and within 5 years of the adoption, validation,
13 and utilization of the statewide, standardized risk
14 assessment tool result in at least 75% of incarcerated
15 individuals receiving services and programming in
16 accordance with evidence-based practices. The policies,
17 rules, and regulations shall:

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

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

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

7 (D) Expand the use of drug prisons, modeled after
8 the Sheridan Correctional Center, to provide
9 sufficient drug treatment and other support services
10 to non-violent inmates with a history of substance
11 abuse.

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

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

25 (d) The Parole Division of the Department of Corrections
26 and the Prisoner Review Board shall provide their employees

1 with intensive and ongoing training and professional
2 development services to support the implementation of
3 evidence-based practices. The training and professional
4 development services shall include assessment techniques, case
5 planning, cognitive behavioral training, risk reduction and
6 intervention strategies, effective communication skills,
7 substance abuse treatment education, and other topics
8 identified by the agencies or their employees.

9 (e) The Department of Corrections, the Prisoner Review
10 Board, and other correctional entities referenced in the
11 policies, rules, and regulations of this Act shall design,
12 implement, and make public a system to evaluate the
13 effectiveness of evidence-based practices in increasing public
14 safety and in successful reintegration of those under
15 supervision into the locality. Annually, each agency shall
16 submit to the Sentencing Policy Advisory Council a
17 comprehensive report on the success of implementing
18 evidence-based practices. The data compiled and analyzed by the
19 Council shall be delivered annually to the Governor and the
20 General Assembly.

21 (f) The Department of Corrections, the Prisoner Review
22 Board, and other correctional entities referenced in the
23 policies, rules, and regulations of this Act shall release a
24 report annually published on the Department of Corrections
25 website that reports the following information pertaining to
26 electronic monitoring, GPS monitoring, and programs imposed on

1 individuals on parole and mandatory supervised release,
2 including:

3 (1) the racial and ethnic breakdown of individuals on
4 electronic monitoring and GPS monitoring programs;

5 (2) the committing charges of individuals subject to
6 electronic monitoring and GPS monitoring, including class
7 of offense and length of served sentence;

8 (3) the number of individuals subject to electronic
9 monitoring, GPS monitoring, or both, in the following
10 categories:

11 (A) the number of individuals subject to
12 electronic monitoring as a condition of their release
13 under Section 5-8A-6 of the Unified Code of
14 Corrections;

15 (B) the number of individuals subject to
16 electronic monitoring, GPS monitoring, or both, under
17 Section 5-8A-7 of the Unified Code of Corrections;

18 (C) the number of individuals subject to
19 electronic monitoring, GPS monitoring, or both, under
20 a decision of the Prisoner Review Board at the time of
21 their release; and

22 (D) the number of individuals subject to
23 electronic monitoring as a sanction for violations of
24 parole or mandatory supervised release;

25 (4) the distribution of the length of time individuals
26 were subject to electronic monitoring, GPS monitoring, or

1 both, in the following breakdown:

2 (A) less than 30 days;

3 (B) 30 to 90 days;

4 (C) 90 to 180 days;

5 (D) 180 to 365 days; or

6 (E) greater than 365 days;

7 (5) the number and category, and ultimate resolution
8 of, disciplinary reports filed against individuals for
9 violating the rules of the electronic monitoring or GPS
10 monitoring program including, but not limited to:

11 (A) late return to residence after authorized
12 movement;

13 (B) unauthorized leaving of the residence;

14 (C) presence of the individual in a prohibited
15 area;

16 (D) failure to charge the battery or otherwise
17 maintain the device; and

18 (E) strap tamper or destruction of the device;

19 (6) the number of individuals returned to prison due to
20 technical violations of electronic monitoring or GPS
21 monitoring programs;

22 (7) the county of the residence address for individuals
23 subject to electronic monitoring, GPS monitoring, or both,
24 as a condition of their release;

25 (8) for counties with a population over 3,000,000, the
26 zip codes of the residence addresses for individuals

1 subject to electronic monitoring, GPS monitoring, or both,
2 as a condition of their release; and

3 (9) the number of individuals on mandatory supervised
4 release charged with a new felony separated by:

5 (A) the number of individuals charged with a new
6 felony that allegedly occurred while the person was on
7 electronic monitoring, GPS Monitoring, or both;

8 (B) the number of individuals charged with a new
9 felony during mandatory supervised release who were
10 never subject to electronic monitoring or GPS
11 monitoring during their term of release; and

12 (C) the number of individuals charged with a new
13 felony during mandatory supervised release that were
14 subject to electronic or GPS monitoring for any period
15 of time during their term of their release.

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