

HB5363



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5363

Introduced 2/9/2024, by Rep. Dave Vella

SYNOPSIS AS INTRODUCED:

730 ILCS 110/9b

from Ch. 38, par. 204-1b

730 ILCS 110/9c new

Amends the Probation and Probation Officers Act. Provides that in the supervision of offenders and defendants, probation officers shall use evidence-based practices. Defines "evidence-based practices".

LRB103 36199 RLC 66291 b

A BILL FOR

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 Probation and Probation Officers Act is
5 amended by changing Section 9b and by adding Section 9c as
6 follows:

7 (730 ILCS 110/9b) (from Ch. 38, par. 204-1b)

8 Sec. 9b. For the purposes of this Act, the words and
9 phrases described in this Section have the meanings designated
10 in this Section, except when a particular context clearly
11 requires a different meaning.

12 (1) "Division" means the Division of Probation Services of
13 the Supreme Court.

14 (2) "Department" means a probation or court services
15 department that provides probation or court services and such
16 other related services assigned to it by the circuit court or
17 by law.

18 (3) "Probation Officer" means a person employed full time
19 in a probation or court services department or a person
20 employed full-time or part-time as a detention officer
21 providing services to a court under this Act or the Juvenile
22 Court Act of 1987. A probation officer includes detention
23 staff, non-secure group home staff and management personnel

1 who meet minimum standards established by the Supreme Court
2 and who are hired under the direction of the circuit court.
3 These probation officers are judicial employees designated on
4 a circuit wide or county basis and compensated by the
5 appropriate county board or boards.

6 (4) "Basic Services" means the number of personnel
7 determined by the Division as necessary to comply with adult,
8 juvenile, and detention services workload standards and to
9 operate authorized programs of intermediate sanctions,
10 intensive probation supervision, public or community service,
11 intake services, secure detention services, non-secure group
12 home services and home confinement.

13 (5) "New or Expanded Services" means personnel necessary
14 to operate pretrial programs, victim and restitution programs,
15 psychological services, drunk driving programs, specialized
16 caseloads, community resource coordination programs, and other
17 programs designed to generally improve the quality of
18 probation and court services.

19 (6) "Individualized Services and Programs" means
20 individualized services provided through purchase of service
21 agreements with individuals, specialists, and local public or
22 private agencies providing non-residential services for the
23 rehabilitation of adult and juvenile offenders as an
24 alternative to local or state incarceration.

25 (7) "Jurisdiction" means the geographical area of
26 authority of a probation department as designated by the chief

1 judge of each circuit court under Section 15 of this Act.

2 (8) "Transfer case" means any case where an adult or
3 juvenile offender seeks to have supervision transferred from
4 one county to another or from another state to a county in
5 Illinois, and the transfer is approved by a judicial officer,
6 a department, or through an interstate compact.

7 (9) "Evidence-based practices" means any procedures,
8 practices or methods of supervision that have been studied and
9 reviewed with an emphasis on such practices that enable
10 probation officers to improve the outcomes when applied in
11 their supervision of offenders and defendants.

12 (Source: P.A. 102-699, eff. 4-19-22.)

13 (730 ILCS 110/9c new)

14 Sec. 9c. Evidence-based practices. In the supervision of
15 offenders and defendants, probation officers shall use
16 evidence-based practices.