



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5150

Introduced 1/29/2010, by Rep. Dennis M. Reboletti

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-14-2

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

Amends the Unified Code of Corrections. Provides that if the parolee or releasee is on parole or mandatory supervised release for a forcible felony and commits an act that constitutes first degree murder, a Class X felony, a Class 1 felony, a Class 2 felony, or a Class 3 felony, the supervising officer of the parolee or releasee shall request the Department of Corrections to issue a warrant and the Department shall issue the warrant and the officer or the Department shall file a violation report with notice of charges with the Prisoner Review Board. Effective immediately.

LRB096 19190 RLC 34581 b

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 shall have the full power of peace officers in
8 the arrest and retaking of any parolees or releasees or the
9 officer may request the Department to issue a warrant for the
10 arrest of any parolee or releasee who has allegedly violated
11 his parole or release conditions.

12 (c-1) The supervising officer shall request the Department
13 to issue a parole violation warrant, and the Department shall
14 issue a parole violation warrant, under the following
15 circumstances:

16 (1) If the parolee or releasee commits an act that
17 constitutes a felony using a firearm or knife,

18 (2) if applicable, fails to comply with the
19 requirements of the Sex Offender Registration Act, or

20 (3) if the parolee or releasee is charged with:

21 (A) domestic battery under Section 12-3.2 of the
22 Criminal Code of 1961,

23 (B) aggravated domestic battery under Section
24 12-3.3 of the Criminal Code of 1961,

25 (C) stalking under Section 12-7.3 of the Criminal
26 Code of 1961,

1 (D) aggravated stalking under Section 12-7.4 of
2 the Criminal Code of 1961,

3 (E) violation of an order of protection under
4 Section 12-30 of the Criminal Code of 1961, or

5 (F) any offense that would require registration as
6 a sex offender under the Sex Offender Registration Act.

7 A sheriff or other peace officer may detain an alleged
8 parole or release violator until a warrant for his return
9 to the Department can be issued. The parolee or releasee
10 may be delivered to any secure place until he can be
11 transported to the Department. The officer or the
12 Department shall file a violation report with notice of
13 charges with the Prisoner Review Board. If the parolee or
14 releasee is on parole or mandatory supervised release for a
15 forcible felony and commits an act that constitutes first
16 degree murder, a Class X felony, a Class 1 felony, a Class
17 2 felony, or a Class 3 felony, the officer shall request
18 the Department to issue a warrant and the Department shall
19 issue the warrant and the officer or the Department shall
20 file a violation report with notice of charges with the
21 Prisoner Review Board.

22 (d) The supervising officer shall regularly advise and
23 consult with the parolee or releasee, assist him in adjusting
24 to community life, inform him of the restoration of his rights
25 on successful completion of sentence under Section 5-5-5. If
26 the parolee or releasee has been convicted of a sex offense as

1 defined in the Sex Offender Management Board Act, the
2 supervising officer shall periodically, but not less than once
3 a month, verify that the parolee or releasee is in compliance
4 with paragraph (7.6) of subsection (a) of Section 3-3-7.

5 (e) Supervising officers shall receive specialized
6 training in the special needs of female releasees or parolees
7 including the family reunification process.

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

11 (Source: P.A. 96-282, eff. 1-1-10.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.