



Sen. John J. Cullerton

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09600SB1320sam002

LRB096 09464 RLC 27387 a

1 AMENDMENT TO SENATE BILL 1320

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1320 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Unified Code of Corrections is amended by  
5 adding Section 5-8-8 as follows:

6 (730 ILCS 5/5-8-8 new)

7 Sec. 5-8-8. Illinois Sentencing Policy Advisory Council.

8 (a) Creation. There is created under the jurisdiction of  
9 the Governor the Illinois Sentencing Policy Advisory Council,  
10 hereinafter referred to as the Council.

11 (b) Purposes and goals. The purpose of the Council is to  
12 review sentencing policies and practices and examine how these  
13 policies and practices impact the criminal justice system as a  
14 whole in the State of Illinois. In carrying out its duties, the  
15 Council shall be mindful of and aim to achieve the purposes of  
16 sentencing in Illinois, which are set out in Section 1-1-2 of

1 this Code:

2 (1) prescribe sanctions proportionate to the  
3 seriousness of the offenses and permit the recognition of  
4 differences in rehabilitation possibilities among  
5 individual offenders;

6 (2) forbid and prevent the commission of offenses;

7 (3) prevent arbitrary or oppressive treatment of  
8 persons adjudicated offenders or delinquents; and

9 (4) restore offenders to useful citizenship.

10 (c) Council composition.

11 (1) The Council shall consist of the following members:

12 (A) the President of the Senate or his or her  
13 designee;

14 (B) the Minority Leader of the Senate or his or her  
15 designee;

16 (C) the Speaker of the House or his or her  
17 designee;

18 (D) the Minority Leader of the House or his or her  
19 designee;

20 (E) the Governor, or his or her designee;

21 (F) the Attorney General, or his or her designee;

22 (G) two retired judges, who may have been circuit,  
23 appellate or supreme court judges, selected by the members  
24 of the Council designated in clauses (c)(1) (A) through  
25 (L);

26 (H) the Cook County State's Attorney, or his or her

1 designee;

2 (I) the Cook County Public Defender, or his or her  
3 designee;

4 (J) a State's Attorney not from Cook County,  
5 appointed by the State's Attorney's Appellate  
6 Prosecutor;

7 (K) the State Appellate Defender, or his or her  
8 designee;

9 (L) the Director of the Administrative Office of  
10 the Illinois Courts, or his or her designee;

11 (M) a victim of a violent felony or a  
12 representative of a crime victims' organization,  
13 selected by the members of the Council designated in  
14 clauses (c) (1) (A) through (L);

15 (N) a representative of a community-based  
16 organization, selected by the members of the Council  
17 designated in clauses (c) (1) (A) through ((L));

18 (O) a criminal justice academic researcher, to be  
19 selected by the members of the Council designated in  
20 clauses (c) (1) (A) through ((L));

21 (P) a representative of law enforcement from a unit  
22 of local government to be selected by the members of  
23 the Council designated in clauses (c) (1) (A) through  
24 ((L));

25 (Q) a sheriff selected by the members of the  
26 Council designated in clauses (c) (1) (A) through ((L));

1           (R) ex-officio members shall include:

2                   (i) the Director of Corrections, or his or her  
3                   designee;

4                   (ii) the Chair of the Prisoner Review Board, or  
5                   his or her designee;

6                   (iii) the Director of the Illinois State  
7                   Police, or his or her designee;

8                   (iv) the Director of the Illinois Criminal  
9                   Justice Information Authority, or his or her  
10                   designee; and

11                   (v) the assistant Director of the  
12                   Administrative Office of the Illinois Courts, or  
13                   his or her designee; and

14           (T) the Chair and Vice Chair shall be elected from  
15           among its members by a majority of the members of the  
16           Council.

17           (2) Members of the Council who serve because of their  
18           public office or position, or those who are designated as  
19           members by such officials, shall serve only as long as they  
20           hold such office or position.

21           (3) Council members shall serve without compensation  
22           but shall be reimbursed for travel and per diem expenses  
23           incurred in their work for the Council.

24           (4) The Council may exercise any power, perform any  
25           function, take any action, or do anything in furtherance of  
26           its purposes and goals upon the appointment of a quorum of

1 its members. The term of office of each member of the  
2 Council ends on the date of repeal of this amendatory Act  
3 of the 96th General Assembly.

4 (d) Duties. The Council shall perform, as resources permit,  
5 duties including:

6 (1) Collect and analyze information including  
7 sentencing data, crime trends, and existing correctional  
8 resources to support legislative and executive action  
9 affecting the use of correctional resources on the State  
10 and local levels.

11 (2) Prepare criminal justice population projections  
12 annually, including correctional and community-based  
13 supervision populations.

14 (3) Analyze data relevant to proposed sentencing  
15 legislation and its effect on current policies or  
16 practices, and provide information to support  
17 evidence-based sentencing.

18 (4) Ensure that adequate resources and facilities are  
19 available for carrying out sentences imposed on offenders  
20 and that rational priorities are established for the use of  
21 those resources. To do so, the Council shall prepare  
22 criminal justice resource statements, identifying the  
23 fiscal and practical effects of proposed criminal  
24 sentencing legislation, including, but not limited to, the  
25 correctional population, court processes, and county or  
26 local government resources.

1           (5) Perform such other studies or tasks pertaining to  
2           sentencing policies as may be requested by the Governor or  
3           the Illinois General Assembly.

4           (6) Perform such other functions as may be required by  
5           law or as are necessary to carry out the purposes and goals  
6           of the Council prescribed in subsection (b).

7           (e) Authority.

8           (1) The Council shall have the power to perform the  
9           functions necessary to carry out its duties, purposes and  
10           goals under this Act. In so doing, the Council shall  
11           utilize information and analysis developed by the Illinois  
12           Criminal Justice Information Authority, the Administrative  
13           Office of the Illinois Courts, and the Illinois Department  
14           of Corrections.

15           (2) Upon request from the Council, each executive  
16           agency and department of State and local government shall  
17           provide information and records to the Council in the  
18           execution of its duties.

19           (f) Report. The Council shall report in writing annually to  
20           the General Assembly and the Governor.

21           (g) This Section is repealed on December 31, 2012.

22           Section 99. Effective date. This Act takes effect upon  
23           becoming law."