



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB3959

Introduced 11/4/2010, by Sen. Kirk W. Dillard - Tim Bivins

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-14-1

from Ch. 38, par. 1003-14-1

Amends the Unified Code of Corrections. Provides that the Department of Corrections shall, by January 1, 2011, establish uniform procedures by which interested parties, including victims, law enforcement, prosecutors, and the Prisoner Review Board, may be notified of, and comment upon, the projected early release of an inmate because of an award of good conduct credit for meritorious service. Provides that these rules and regulations must provide that comments be submitted in writing or electronically. Provides that upon promulgation of these rules and regulations, the Department of Corrections may consider and shall include in the inmate's record any comments submitted by interested parties. Effective immediately.

LRB096 24023 RLC 43431 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 3-14-1 as follows:

6 (730 ILCS 5/3-14-1) (from Ch. 38, par. 1003-14-1)

7 Sec. 3-14-1. Release from the Institution.

8 (a) Upon release of a person on parole, mandatory release,
9 final discharge or pardon the Department shall return all
10 property held for him, provide him with suitable clothing and
11 procure necessary transportation for him to his designated
12 place of residence and employment. It may provide such person
13 with a grant of money for travel and expenses which may be paid
14 in installments. The amount of the money grant shall be
15 determined by the Department.

16 The Department of Corrections may establish and maintain,
17 in any institution it administers, revolving funds to be known
18 as "Travel and Allowances Revolving Funds". These revolving
19 funds shall be used for advancing travel and expense allowances
20 to committed, paroled, and discharged prisoners. The moneys
21 paid into such revolving funds shall be from appropriations to
22 the Department for Committed, Paroled, and Discharged
23 Prisoners.

1 (b) (Blank).

2 (c) Except as otherwise provided in this Code, the
3 Department shall establish procedures to provide written
4 notification of any release of any person who has been
5 convicted of a felony to the State's Attorney and sheriff of
6 the county from which the offender was committed, and the
7 State's Attorney and sheriff of the county into which the
8 offender is to be paroled or released. Except as otherwise
9 provided in this Code, the Department shall establish
10 procedures to provide written notification to the proper law
11 enforcement agency for any municipality of any release of any
12 person who has been convicted of a felony if the arrest of the
13 offender or the commission of the offense took place in the
14 municipality, if the offender is to be paroled or released into
15 the municipality, or if the offender resided in the
16 municipality at the time of the commission of the offense. If a
17 person convicted of a felony who is in the custody of the
18 Department of Corrections or on parole or mandatory supervised
19 release informs the Department that he or she has resided,
20 resides, or will reside at an address that is a housing
21 facility owned, managed, operated, or leased by a public
22 housing agency, the Department must send written notification
23 of that information to the public housing agency that owns,
24 manages, operates, or leases the housing facility. The written
25 notification shall, when possible, be given at least 14 days
26 before release of the person from custody, or as soon

1 thereafter as possible.

2 (c-1) (Blank).

3 (c-2) The Department of Corrections shall, by January 1,
4 2011, establish uniform procedures by which interested
5 parties, including victims, law enforcement, prosecutors, and
6 the Prisoner Review Board, may be notified of, and comment
7 upon, the projected early release of an inmate because of an
8 award of good conduct credit for meritorious service under
9 paragraph (3) of subsection (a) of Section 3-6-3 of this Code.
10 These rules and regulations must provide that comments be
11 submitted in writing or electronically. Upon promulgation of
12 these rules and regulations, the Department of Corrections may
13 consider and shall include in the inmate's record any comments
14 submitted by interested parties.

15 (c-5) If a person on parole or mandatory supervised release
16 becomes a resident of a facility licensed or regulated by the
17 Department of Public Health, the Illinois Department of Public
18 Aid, or the Illinois Department of Human Services, the
19 Department of Corrections shall provide copies of the following
20 information to the appropriate licensing or regulating
21 Department and the licensed or regulated facility where the
22 person becomes a resident:

23 (1) The mittimus and any pre-sentence investigation
24 reports.

25 (2) The social evaluation prepared pursuant to Section
26 3-8-2.

1 (3) Any pre-release evaluation conducted pursuant to
2 subsection (j) of Section 3-6-2.

3 (4) Reports of disciplinary infractions and
4 dispositions.

5 (5) Any parole plan, including orders issued by the
6 Prisoner Review Board, and any violation reports and
7 dispositions.

8 (6) The name and contact information for the assigned
9 parole agent and parole supervisor.

10 This information shall be provided within 3 days of the
11 person becoming a resident of the facility.

12 (c-10) If a person on parole or mandatory supervised
13 release becomes a resident of a facility licensed or regulated
14 by the Department of Public Health, the Illinois Department of
15 Public Aid, or the Illinois Department of Human Services, the
16 Department of Corrections shall provide written notification
17 of such residence to the following:

18 (1) The Prisoner Review Board.

19 (2) The chief of police and sheriff in the municipality
20 and county in which the licensed facility is located.

21 The notification shall be provided within 3 days of the
22 person becoming a resident of the facility.

23 (d) Upon the release of a committed person on parole,
24 mandatory supervised release, final discharge or pardon, the
25 Department shall provide such person with information
26 concerning programs and services of the Illinois Department of

1 Public Health to ascertain whether such person has been exposed
2 to the human immunodeficiency virus (HIV) or any identified
3 causative agent of Acquired Immunodeficiency Syndrome (AIDS).

4 (e) Upon the release of a committed person on parole,
5 mandatory supervised release, final discharge, or pardon, the
6 Department shall provide the person who has met the criteria
7 established by the Department with an identification card
8 identifying the person as being on parole, mandatory supervised
9 release, final discharge, or pardon, as the case may be. The
10 Department, in consultation with the Office of the Secretary of
11 State, shall prescribe the form of the identification card,
12 which may be similar to the form of the standard Illinois
13 Identification Card. The Department shall inform the committed
14 person that he or she may present the identification card to
15 the Office of the Secretary of State upon application for a
16 standard Illinois Identification Card in accordance with the
17 Illinois Identification Card Act. The Department shall require
18 the committed person to pay a \$1 fee for the identification
19 card.

20 For purposes of a committed person receiving an
21 identification card issued by the Department under this
22 subsection, the Department shall establish criteria that the
23 committed person must meet before the card is issued. It is the
24 sole responsibility of the committed person requesting the
25 identification card issued by the Department to meet the
26 established criteria. The person's failure to meet the criteria

1 is sufficient reason to deny the committed person the
2 identification card. An identification card issued by the
3 Department under this subsection shall be valid for a period of
4 time not to exceed 30 calendar days from the date the card is
5 issued. The Department shall not be held civilly or criminally
6 liable to anyone because of any act of any person utilizing a
7 card issued by the Department under this subsection.

8 The Department shall adopt rules governing the issuance of
9 identification cards to committed persons being released on
10 parole, mandatory supervised release, final discharge, or
11 pardon.

12 (Source: P.A. 94-163, eff. 7-11-05.)

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