

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 Open Parole Hearings Act is amended by  
5 changing Sections 5 and 35 as follows:

6 (730 ILCS 105/5) (from Ch. 38, par. 1655)

7 Sec. 5. Definitions. As used in this Act:

8 (a) "Applicant" means an inmate who is being considered for  
9 parole by the Prisoner Review Board.

10 (b) "Board" means the Prisoner Review Board as established  
11 in Section 3-3-1 of the Unified Code of Corrections.

12 (c) "Parolee" means a person subject to parole revocation  
13 proceedings.

14 (d) "Parole hearing" means the formal hearing and  
15 determination of an inmate being considered for release from  
16 incarceration on community supervision.

17 (e) "Parole or mandatory supervised release revocation  
18 hearing" means the formal hearing and determination of  
19 allegations that a parolee or mandatory supervised releasee has  
20 violated the conditions of his or her release agreement.

21 (f) "Victim" means a victim or witness of a violent crime  
22 as defined in subsection (a) of Section 3 of the Bill of Rights  
23 for Victims and Witnesses of Violent Crime Act, or any person

1 legally related to the victim by blood, marriage, adoption, or  
2 guardianship, or any friend of the victim, or any concerned  
3 citizen.

4 (g) "Violent crime" means a crime defined in subsection (c)  
5 of Section 3 of the Bill of Rights for Victims and Witnesses of  
6 Violent Crime Act.

7 (Source: P.A. 87-224.)

8 (730 ILCS 105/35) (from Ch. 38, par. 1685)

9 Sec. 35. Victim impact statements.

10 (a) The Board shall receive and consider victim impact  
11 statements.

12 (b) Victim ~~Written victim~~ impact statements either oral,  
13 written, video-taped, tape recorded or made by other electronic  
14 means shall not be considered public documents under provisions  
15 of the Freedom of Information Act.

16 (c) The inmate or his attorney shall be informed of the  
17 existence of a victim impact statement and its contents under  
18 provisions of Board rules. This shall not be construed to  
19 permit disclosure to an inmate of any information which might  
20 result in the risk of threats or physical harm to a victim or  
21 complaining witness.

22 (d) The inmate shall be given the opportunity to answer a  
23 victim impact statement, either orally or in writing.

24 (e) All written victim impact statements shall be part of  
25 the applicant's or parolee's parole file.

1 (Source: P.A. 87-224.)

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.