



Sen. William R. Haine

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09700SB1032sam001

LRB097 04756 RLC 51723 a

1 AMENDMENT TO SENATE BILL 1032

2 AMENDMENT NO. _____. Amend Senate Bill 1032 by replacing
3 everything after the enacting clause with the following:

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.

1 (e) "Parole or mandatory supervised release revocation
2 hearing" means the formal hearing and determination of
3 allegations that a parolee or mandatory supervised releasee has
4 violated the conditions of his or her release agreement.

5 (f) "Victim" means a victim or witness of a violent crime
6 as defined in subsection (a) of Section 3 of the Bill of Rights
7 for Victims and Witnesses of Violent Crime Act, or any person
8 legally related to the victim by blood, marriage, adoption, or
9 guardianship, or any friend of the victim, or any concerned
10 citizen.

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

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

15 (730 ILCS 105/35) (from Ch. 38, par. 1685)

16 Sec. 35. Victim impact statements.

17 (a) The Board shall receive and consider victim impact
18 statements.

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

23 (c) The inmate or his attorney shall be informed of the
24 existence of a victim impact statement and its contents under
25 provisions of Board rules. This shall not be construed to

1 permit disclosure to an inmate of any information which might
2 result in the risk of threats or physical harm to a victim or
3 complaining witness.

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

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

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

9 Section 99. Effective date. This Act takes effect upon
10 becoming law."