



Sen. Thomas Johnson

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09700SB1470sam001

LRB097 07015 RLC 53816 a

1 AMENDMENT TO SENATE BILL 1470

2 AMENDMENT NO. _____. Amend Senate Bill 1470 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Unified Code of Corrections is amended by
5 changing Section 3-3-5 as follows:

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

7 Sec. 3-3-5. Hearing and Determination.

8 (a) The Prisoner Review Board shall meet as often as need
9 requires to consider the cases of persons eligible for parole.
10 Except as otherwise provided in paragraph (2) of subsection (a)
11 of Section 3-3-2 of this Act, the Prisoner Review Board may
12 meet and order its actions in panels of 3 or more members. The
13 action of a majority of the panel shall be the action of the
14 Board. In consideration of persons committed to the Department
15 of Juvenile Justice, the panel shall have at least a majority
16 of members experienced in juvenile matters.

1 (b) If the person under consideration for parole is in the
2 custody of the Department, at least one member of the Board
3 shall interview him, and a report of that interview shall be
4 available for the Board's consideration. However, in the
5 discretion of the Board, the interview need not be conducted if
6 a psychiatric examination determines that the person could not
7 meaningfully contribute to the Board's consideration. The
8 Board may in its discretion parole a person who is then outside
9 the jurisdiction on his record without an interview. The Board
10 need not hold a hearing or interview a person who is paroled
11 under paragraphs (d) or (e) of this Section or released on
12 Mandatory release under Section 3-3-10.

13 (c) The Board shall not parole a person eligible for parole
14 if it determines that:

15 (1) there is a substantial risk that he will not
16 conform to reasonable conditions of parole; or

17 (2) his release at that time would deprecate the
18 seriousness of his offense or promote disrespect for the
19 law; or

20 (3) his release would have a substantially adverse
21 effect on institutional discipline.

22 (d) A person committed under the Juvenile Court Act or the
23 Juvenile Court Act of 1987 who has not been sooner released
24 shall be paroled on or before his 20th birthday to begin
25 serving a period of parole under Section 3-3-8.

26 (e) A person who has served the maximum term of

1 imprisonment imposed at the time of sentencing less time credit
2 for good behavior shall be released on parole to serve a period
3 of parole under Section 5-8-1.

4 (f) The Board shall render its decision within a reasonable
5 time after hearing and shall state the basis therefor both in
6 the records of the Board and in written notice to the person on
7 whose application it has acted. In its decision, the Board
8 shall set the person's time for parole, or if it denies parole
9 it shall provide for a rehearing not less frequently than once
10 every year, except that the Board may, after denying parole,
11 schedule a rehearing no later than 5 ~~3~~ years from the date of
12 the parole denial, if the Board finds that it is not reasonable
13 to expect that parole would be granted at a hearing prior to
14 the scheduled rehearing date. If the Board shall parole a
15 person, and, if he is not released within 90 days from the
16 effective date of the order granting parole, the matter shall
17 be returned to the Board for review.

18 (g) The Board shall maintain a registry of decisions in
19 which parole has been granted, which shall include the name and
20 case number of the prisoner, the highest charge for which the
21 prisoner was sentenced, the length of sentence imposed, the
22 date of the sentence, the date of the parole, and the basis for
23 the decision of the Board to grant parole and the vote of the
24 Board on any such decisions. The registry shall be made
25 available for public inspection and copying during business
26 hours and shall be a public record pursuant to the provisions

1 of the Freedom of Information Act.

2 (h) The Board shall promulgate rules regarding the exercise
3 of its discretion under this Section.

4 (Source: P.A. 96-875, eff. 1-22-10.)".