

# SB1028



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

SB1028

Introduced 1/24/2013, by Sen. John J. Cullerton

#### SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-14-2

from Ch. 38, par. 1003-14-2

Amends the Unified Code of Corrections. Makes a technical change in a Section concerning the supervision of persons on parole or mandatory supervised release.

LRB098 05283 RLC 35315 b

A BILL FOR

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 3-14-2 as follows:

6 (730 ILCS 5/3-14-2) (from Ch. 38, par. 1003-14-2)

7 Sec. 3-14-2. Supervision on Parole, Mandatory Supervised  
8 Release and Release by Statute.

9 (a) The ~~The~~ Department shall retain custody of all persons  
10 placed on parole or mandatory supervised release or released  
11 pursuant to Section 3-3-10 of this Code and shall supervise  
12 such persons during their parole or release period in accord  
13 with the conditions set by the Prisoner Review Board. Such  
14 conditions shall include referral to an alcohol or drug abuse  
15 treatment program, as appropriate, if such person has  
16 previously been identified as having an alcohol or drug abuse  
17 problem. Such conditions may include that the person use an  
18 approved electronic monitoring device subject to Article 8A of  
19 Chapter V.

20 (b) The Department shall assign personnel to assist persons  
21 eligible for parole in preparing a parole plan. Such Department  
22 personnel shall make a report of their efforts and findings to  
23 the Prisoner Review Board prior to its consideration of the

1 case of such eligible person.

2 (c) A copy of the conditions of his parole or release shall  
3 be signed by the parolee or releasee and given to him and to  
4 his supervising officer who shall report on his progress under  
5 the rules and regulations of the Prisoner Review Board. The  
6 supervising officer shall report violations to the Prisoner  
7 Review Board and shall have the full power of peace officers in  
8 the arrest and retaking of any parolees or releasees or the  
9 officer may request the Department to issue a warrant for the  
10 arrest of any parolee or releasee who has allegedly violated  
11 his parole or release conditions.

12 (c-1) The supervising officer shall request the Department  
13 to issue a parole violation warrant, and the Department shall  
14 issue a parole violation warrant, under the following  
15 circumstances:

16 (1) if the parolee or releasee commits an act that  
17 constitutes a felony using a firearm or knife,

18 (2) if applicable, fails to comply with the  
19 requirements of the Sex Offender Registration Act,

20 (3) if the parolee or releasee is charged with:

21 (A) a felony offense of domestic battery under  
22 Section 12-3.2 of the Criminal Code of 1961,

23 (B) aggravated domestic battery under Section  
24 12-3.3 of the Criminal Code of 1961,

25 (C) stalking under Section 12-7.3 of the Criminal  
26 Code of 1961,

1 (D) aggravated stalking under Section 12-7.4 of  
2 the Criminal Code of 1961,

3 (E) violation of an order of protection under  
4 Section 12-30 of the Criminal Code of 1961, or

5 (F) any offense that would require registration as  
6 a sex offender under the Sex Offender Registration Act,  
7 or

8 (4) if the parolee or releasee is on parole or  
9 mandatory supervised release for a murder, a Class X felony  
10 or a Class 1 felony violation of the Criminal Code of 1961,  
11 or any felony that requires registration as a sex offender  
12 under the Sex Offender Registration Act and commits an act  
13 that constitutes first degree murder, a Class X felony, a  
14 Class 1 felony, a Class 2 felony, or a Class 3 felony.

15 A sheriff or other peace officer may detain an alleged  
16 parole or release violator until a warrant for his return to  
17 the Department can be issued. The parolee or releasee may be  
18 delivered to any secure place until he can be transported to  
19 the Department. The officer or the Department shall file a  
20 violation report with notice of charges with the Prisoner  
21 Review Board.

22 (d) The supervising officer shall regularly advise and  
23 consult with the parolee or releasee, assist him in adjusting  
24 to community life, inform him of the restoration of his rights  
25 on successful completion of sentence under Section 5-5-5. If  
26 the parolee or releasee has been convicted of a sex offense as

1 defined in the Sex Offender Management Board Act, the  
2 supervising officer shall periodically, but not less than once  
3 a month, verify that the parolee or releasee is in compliance  
4 with paragraph (7.6) of subsection (a) of Section 3-3-7.

5 (e) Supervising officers shall receive specialized  
6 training in the special needs of female releasees or parolees  
7 including the family reunification process.

8 (f) The supervising officer shall keep such records as the  
9 Prisoner Review Board or Department may require. All records  
10 shall be entered in the master file of the individual.

11 (Source: P.A. 96-282, eff. 1-1-10; 96-1447, eff. 8-20-10;  
12 97-389, eff. 8-15-11.)