

AN ACT concerning criminal law.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Unified Code of Corrections is amended by adding Article 17 as follows:

(730 ILCS 5/Ch. III Art. 17 heading new)

ARTICLE 17. PROGRAM OF REENTRY INTO COMMUNITY

(730 ILCS 5/3-17-5 new)

Sec. 3-17-5. Definitions. As used in this Article:

"Board" means the Prisoner Review Board.

"Department" means the Department of Corrections.

"Director" means the Director of Corrections.

"Offender" means a person who has been convicted of a felony under the laws of this State and sentenced to a term of imprisonment.

"Program" means a program established by a county or municipality under Section 3-17-10 for reentry of persons into the community who have been committed to the Department for commission of a felony.

(730 ILCS 5/3-17-10 new)

Sec. 3-17-10. Establishment of program.

(a) A county with the approval of the county board or a municipality that maintains a jail or house of corrections with the approval of the corporate authorities may establish a program for reentry of offenders into the community who have been committed to the Department for commission of a felony. Any program shall be approved by the Director prior to placement of inmates in a program.

(b) If a county or municipality establishes a program under this Section, the sheriff in the case of a county or the police

chief in the case of a municipality shall:

(1) Determine whether offenders who are referred by the Director of Corrections under Section 3-17-15 should be assigned to participate in a program.

(2) Supervise offenders participating in the program during their participation in the program.

(c) A county or municipality shall be liable for the well being and actions of inmates in its custody while in a program and shall indemnify the Department for any loss incurred by the Department caused while an inmate is in a program.

(d) An offender may not be assigned to participate in a program unless the Director of Corrections, in consultation with the Prisoner Review Board, grants prior approval of the assignment under this Section.

(730 ILCS 5/3-17-15 new)

Sec. 3-17-15. Referral of person to sheriff or police chief; assignment of person by the Department.

(a) Except as otherwise provided in this Section, if a program has been established in a county or municipality in which an offender was sentenced to imprisonment for a felony, the Director may refer the offender to the county sheriff or municipal police chief if:

(1) The offender qualifies under the standards established by the Director in subsection (c);

(2) The offender has demonstrated a willingness to:

(A) engage in employment or participate in vocational rehabilitation or job skills training; and

(B) meet any existing obligation for restitution to any victim of his or her crime; and

(3) the offender is within one year of his or her probable release from prison, as determined by the Director.

(b) Except as otherwise provided in this Section, if the Director is notified by the sheriff or police chief under Section 3-17-10 that an offender would benefit by being

assigned to the custody of the sheriff or police chief to participate in the program, the Director shall review whether the offender should be assigned to participate in a program for not longer than the remainder of his or her sentence.

(c) The Director, by rule, shall adopt standards setting forth which offenders are eligible to be assigned to the custody of the sheriff or police chief to participate in the program under this Section. The standards adopted by the Director must be approved by the Prisoner Review Board and must provide that an offender is ineligible for participation in the program who:

(1) has recently committed a serious infraction of the rules of an institution or facility of the Department;

(2) has not performed the duties assigned to him or her in a faithful and orderly manner;

(3) has, within the immediately preceding 5 years, been convicted of any crime involving the use or threatened use of force or violence against a victim that is punishable as a felony;

(4) has ever been convicted of a sex offense as defined in Section 10 of the Sex Offender Management Board Act;

(5) has escaped or attempted to escape from any jail or correctional institution for adults; or

(6) has not made an effort in good faith to participate in or to complete any educational or vocational program or any program of treatment, as ordered by the Director.

(d) The Director shall adopt rules requiring offenders who are assigned to the custody of the sheriff or police chief under this Section to reimburse the Department for the cost of their participation in a program, to the extent of their ability to pay.

(e) The sheriff or police chief may return the offender to the custody of the Department at any time for any violation of the terms and conditions imposed by the Director in consultation with the Prisoner Review Board.

(f) If an offender assigned to the custody of the sheriff

or police chief under this Section violates any of the terms or conditions imposed by the Director in consultation with the Prisoner Review Board and is returned to the custody of the Department, the offender forfeits all or part of the credits for good behavior earned by him or her before he or she was returned to the custody of the Department, as determined by the Director. The Director may provide for a forfeiture of credits under this subsection (f) only after proof of the violation and notice is given to the offender. The Director may restore credits so forfeited for such reasons as he or she considers proper. The Director, by rule, shall establish procedures for review of forfeiture of good behavior credit. The decision of the Director regarding such a forfeiture is final.

(g) The assignment of an offender to the custody of the sheriff or police chief under this Section shall be deemed:

(1) a continuation of his or her imprisonment and not a release on parole or mandatory supervised release; and

(2) for the purposes of Section 3-8-1, an assignment to a facility of the Department, except that the offender is not entitled to obtain any benefits or to participate in any programs provided to offenders in the custody of the Department.

(h) An offender does not have a right to be assigned to the custody of the sheriff or police chief under this Section, or to remain in that custody after such an assignment. It is not intended that the establishment or operation of a program creates any right or interest in liberty or property or establishes a basis for any cause of action against this State or its political subdivisions, agencies, boards, commissions, departments, officers, or employees.

(730 ILCS 5/3-17-20 new)

Sec. 3-17-20. Director to contract for certain services for offenders in program.

(a) The Director may enter into one or more contracts with one or more public or private entities to provide any of the

following services, as necessary and appropriate, to offenders participating in a program:

(1) transitional housing;

(2) treatment pertaining to substance abuse or mental health;

(3) training in life skills;

(4) vocational rehabilitation and job skills training;

and

(5) any other services required by offenders who are participating in a program.

(b) The Director shall, as necessary and appropriate, provide referrals and information regarding:

(1) any of the services provided pursuant to subsection (a);

(2) access and availability of any appropriate self-help groups;

(3) social services for families and children; and

(4) permanent housing.

(c) The Director may apply for and accept any gift, donation, bequest, grant, or other source of money to carry out the provisions of this Section.

(d) As used in this Section, training in life skills includes, without limitation, training in the areas of: (1) parenting; (2) improving human relationships; (3) preventing domestic violence; (4) maintaining emotional and physical health; (5) preventing abuse of alcohol and drugs; (6) preparing for and obtaining employment; and (7) budgeting, consumerism, and personal finances.

(730 ILCS 5/3-17-25 new)

Sec. 3-17-25. Monitoring of participant in program. The Department shall retain the authority to monitor each person who is participating in a program under Section 3-17-15. Such authority shall include site inspections, review of program activities, and access to inmate files and records.