

AN ACT concerning criminal law.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 35. Victim impact statements.

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

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

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

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

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

Public Act 097-0299

HB1928 Enrolled

LRB097 09096 RLC 49231 b

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

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