

# HB3801



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3801

by Rep. Juliana Stratton

### SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-2.5-70

Amends the Unified Code of Corrections. Provides that before the youth is released on aftercare release, the Department of Juvenile Justice shall require the youth to attend a restorative justice circle or family group conferencing session to ensure appropriate family support and a smooth transition upon his or her return home and into his or her community.

LRB100 10097 RLC 21878 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 3-2.5-70 as follows:

6 (730 ILCS 5/3-2.5-70)

7 Sec. 3-2.5-70. Aftercare.

8 (a) The Department shall implement an aftercare program  
9 that includes, at a minimum, the following program elements:

10 (1) A process for developing and implementing a case  
11 management plan for timely and successful reentry into the  
12 community beginning upon commitment.

13 (2) A process for reviewing committed youth for  
14 recommendation for aftercare release.

15 (3) Supervision in accordance with the conditions set  
16 by the Department or Prisoner Review Board and referral to  
17 and facilitation of community-based services including  
18 education, social and mental health services, substance  
19 abuse treatment, employment and vocational training,  
20 individual and family counseling, financial counseling,  
21 and other services as appropriate; and assistance in  
22 locating appropriate residential placement and obtaining  
23 suitable employment. The Department may purchase necessary

1 services for a releasee if they are otherwise unavailable  
2 and the releasee is unable to pay for the services. It may  
3 assess all or part of the costs of these services to a  
4 releasee in accordance with his or her ability to pay for  
5 the services.

6 (4) Standards for sanctioning violations of conditions  
7 of aftercare release that ensure that juvenile offenders  
8 face uniform and consistent consequences that hold them  
9 accountable taking into account aggravating and mitigating  
10 factors and prioritizing public safety.

11 (5) A process for reviewing youth on aftercare release  
12 for discharge.

13 (b) The Department of Juvenile Justice shall have the  
14 following rights, powers, functions, and duties:

15 (1) To investigate alleged violations of an aftercare  
16 releasee's conditions of release; and for this purpose it  
17 may issue subpoenas and compel the attendance of witnesses  
18 and the production of documents only if there is reason to  
19 believe that the procedures would provide evidence that the  
20 violations have occurred. If any person fails to obey a  
21 subpoena issued under this subsection, the Director may  
22 apply to any circuit court to secure compliance with the  
23 subpoena. The failure to comply with the order of the court  
24 issued in response thereto shall be punishable as contempt  
25 of court.

26 (2) To issue a violation warrant for the apprehension

1 of an aftercare releasee for violations of the conditions  
2 of aftercare release. Aftercare specialists and  
3 supervisors have the full power of peace officers in the  
4 retaking of any youth alleged to have violated the  
5 conditions of aftercare release.

6 (c) The Department of Juvenile Justice shall designate  
7 aftercare specialists qualified in juvenile matters to perform  
8 case management and post-release programming functions under  
9 this Section.

10 (d) Before the youth is released on aftercare release, the  
11 Department shall require the youth to attend a restorative  
12 justice circle or family group conferencing session to ensure  
13 appropriate family support and a smooth transition upon his or  
14 her return home and into his or her community.

15 (Source: P.A. 98-558, eff. 1-1-14; 99-628, eff. 1-1-17.)