



Sen. Debbie DeFrancesco Halvorson

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1 AMENDMENT TO SENATE BILL 554

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 554 by replacing  
3 everything after the enacting clause with the following:

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

6 (730 ILCS 5/Ch. III Art. 17 heading new)

7 ARTICLE 17. PROGRAM OF REENTRY INTO COMMUNITY

8 (730 ILCS 5/3-17-5 new)

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

10 "Board" means the Prisoner Review Board.

11 "Department" means the Department of Corrections.

12 "Director" means the Director of Corrections.

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

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

20 (730 ILCS 5/3-17-10 new)

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

22 (a) A county with the approval of the county board or a

1 municipality that maintains a jail or house of corrections with  
2 the approval of the corporate authorities may establish a  
3 program for reentry of offenders into the community who have  
4 been committed to the Department for commission of a felony.  
5 Any program shall be approved by the Director prior to  
6 placement of inmates in a program.

7 (b) If a county or municipality establishes a program under  
8 this Section, the sheriff in the case of a county or the police  
9 chief in the case of a municipality shall:

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

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

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

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

23 (730 ILCS 5/3-17-15 new)

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

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

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

33 (2) The offender has demonstrated a willingness to:

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

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

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

8           (b) Except as otherwise provided in this Section, if the  
9           Director is notified by the sheriff or police chief under  
10          Section 3-17-10 that an offender would benefit by being  
11          assigned to the custody of the sheriff or police chief to  
12          participate in the program, the Director shall review whether  
13          the offender should be assigned to participate in a program for  
14          not longer than the remainder of his or her sentence.

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

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

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

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

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

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

34               (6) has not made an effort in good faith to participate

1 in or to complete any educational or vocational program or  
2 any program of treatment, as ordered by the Director.

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

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

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

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

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

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

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

9           (730 ILCS 5/3-17-20 new)

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

12       (a) The Director may enter into one or more contracts with  
13 one or more public or private entities to provide any of the  
14 following services, as necessary and appropriate, to offenders  
15 participating in a program:

16           (1) transitional housing;

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

19           (3) training in life skills;

20           (4) vocational rehabilitation and job skills training;

21       and

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

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

26           (1) any of the services provided pursuant to subsection

27 (a);

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

30           (3) social services for families and children; and

31           (4) permanent housing.

32       (c) The Director may apply for and accept any gift,  
33 donation, bequest, grant, or other source of money to carry out

1 the provisions of this Section.

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

9 (730 ILCS 5/3-17-25 new)

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