

# HB3400



## 96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

**HB3400**

Introduced 2/24/2009, by Rep. Tom Cross

### 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.

LRB096 07947 RLC 18051 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. If the parolee or releasee  
12 commits an act that constitutes a felony using a firearm or  
13 knife, or, if applicable, fails to comply with the requirements  
14 of the Sex Offender Registration Act, the officer shall request  
15 the Department to issue a warrant and the Department shall  
16 issue the warrant and the officer or the Department shall file  
17 a violation report with notice of charges with the Prisoner  
18 Review Board. A sheriff or other peace officer may detain an  
19 alleged parole or release violator until a warrant for his  
20 return to the Department can be issued. The parolee or releasee  
21 may be delivered to any secure place until he can be  
22 transported to the Department.

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

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

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

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

12 (Source: P.A. 93-979, eff. 8-20-04; 94-161, eff. 7-11-05.)