



Sen. John J. Cullerton

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09600SB1320sam001

LRB096 09464 RLC 26737 a

1 AMENDMENT TO SENATE BILL 1320

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1320 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Unified Code of Corrections is amended by  
5 adding Section 5-8-8 as follows:

6 (730 ILCS 5/5-8-8 new)

7 Sec. 5-8-8. Illinois Sentencing Policy Advisory Council.

8 (a) Creation. There is created under the jurisdiction of  
9 the Supreme Court the Illinois Sentencing Policy Advisory  
10 Council, hereinafter referred to as the Council.

11 (b) Purposes and goals. The purpose of the Council is to  
12 review sentencing policies and practices and examine how these  
13 policies and practices impact the criminal justice system as a  
14 whole in the State of Illinois. In carrying out its duties, the  
15 Council shall be mindful of and aim to achieve the purposes of  
16 sentencing in Illinois, which are set out in Section 1-1-2 of

1 this Code:

2 (1) prescribe sanctions proportionate to the  
3 seriousness of the offenses and permit the recognition of  
4 differences in rehabilitation possibilities among  
5 individual offenders;

6 (2) forbid and prevent the commission of offenses;

7 (3) prevent arbitrary or oppressive treatment of  
8 persons adjudicated offenders or delinquents; and

9 (4) restore offenders to useful citizenship.

10 (c) Council composition.

11 (1) The Council shall consist of the following members:

12 (A) the President of the Senate or his or her  
13 designee;

14 (B) the Minority Leader of the Senate or his or her  
15 designee;

16 (C) the Speaker of the House or his or her  
17 designee;

18 (D) the Minority Leader of the House or his or her  
19 designee;

20 (E) the Chief Judge of the Circuit Court of Cook  
21 County or his or her designee;

22 (F) two judges, who may be circuit or appellate  
23 court judges, active or retired, to be appointed by the  
24 Supreme Court;

25 (G) the Governor, or his or her designee;

26 (H) the Attorney General, or his or her designee;

1           (I) the Cook County State's Attorney, or his or her  
2 designee;

3           (J) the Cook County Public Defender, or his or her  
4 designee;

5           (K) a State's Attorney not from Cook County,  
6 appointed by the State's Attorney's Appellate  
7 Prosecutor;

8           (L) the State Appellate Defender, or his or her  
9 designee;

10          (M) a representative of probation services,  
11 appointed by the Supreme Court;

12          (N) a victim of a violent felony or a  
13 representative of a crime victims' organization,  
14 selected by the members of the Council designated in  
15 clauses (c) (1) (A) through (M);

16          (O) a representative of a community-based  
17 organization, selected by the members of the Council  
18 designated in clauses (c) (1) (A) through (M);

19          (P) a criminal justice academic researcher, to be  
20 selected by the members of the Council designated in  
21 clauses (c) (1) (A) through (M);

22          (Q) a representative of law enforcement from a unit  
23 of local government to be selected by the members of  
24 the Council designated in clauses (c) (1) (A) through  
25 (M);

26          (R) a sheriff selected by the members of the

1 Council designated in clauses (c) (1) (A) through (M);

2 (S) ex-officio members shall include:

3 (i) the Director of Corrections, or his or her  
4 designee;

5 (ii) the Chair of the Prisoner Review Board, or  
6 his or her designee;

7 (iii) the Director of the Illinois State  
8 Police, or his or her designee;

9 (iv) the Director of the Illinois Criminal  
10 Justice Information Authority, or his or her  
11 designee; and

12 (v) the Director of the Administrative Office  
13 of the Illinois Courts, or his or her designee; and

14 (T) the Chair and Vice Chair shall be elected from  
15 among its members by a majority of the members of the  
16 Council.

17 (2) Members of the Council who serve because of their  
18 public office or position, or those who are designated as  
19 members by such officials, shall serve only as long as they  
20 hold such office or position.

21 (3) Council members shall serve without compensation  
22 but shall be reimbursed for travel and per diem expenses  
23 incurred in their work for the Council.

24 (4) The Council may exercise any power, perform any  
25 function, take any action, or do anything in furtherance of  
26 its purposes and goals upon the appointment of a quorum of

1 its members. The term of office of each member of the  
2 Council ends on the date of repeal of this amendatory Act  
3 of the 96th General Assembly.

4 (d) Duties. The Council shall perform, as resources permit,  
5 duties including:

6 (1) Collect and analyze information including  
7 sentencing data, crime trends, and existing correctional  
8 resources to support legislative and executive action  
9 affecting the use of correctional resources on the State  
10 and local levels.

11 (2) Prepare criminal justice population projections  
12 annually, including correctional and community-based  
13 supervision populations.

14 (3) Analyze data relevant to proposed sentencing  
15 legislation and its effect on current policies or  
16 practices, and provide information to support  
17 evidence-based sentencing.

18 (4) Ensure that adequate resources and facilities are  
19 available for carrying out sentences imposed on offenders  
20 and that rational priorities are established for the use of  
21 those resources. To do so, the Council shall prepare  
22 criminal justice resource statements, identifying the  
23 fiscal and practical effects of proposed criminal  
24 sentencing legislation, including, but not limited to, the  
25 correctional population, court processes, and county or  
26 local government resources.

1           (5) Perform such other studies or tasks pertaining to  
2           sentencing policies as may be requested by the Governor,  
3           the Supreme Court, or the Illinois General Assembly.

4           (6) Perform such other functions as may be required by  
5           law or as are necessary to carry out the purposes and goals  
6           of the Council prescribed in subsection (b).

7           (e) Authority.

8           (1) The Council shall have the power to perform the  
9           functions necessary to carry out its duties, purposes and  
10           goals under this Act. In so doing, the Council shall  
11           utilize information and analysis developed by the Illinois  
12           Criminal Justice Information Authority, the Administrative  
13           Office of the Illinois Courts, and the Illinois Department  
14           of Corrections.

15           (2) Upon request from the Council, each executive  
16           agency and department of State and local government shall  
17           provide information and records to the Council in the  
18           execution of its duties. Those entities under the  
19           jurisdiction of the Supreme Court shall submit information  
20           as the Court may direct. Such information and records shall  
21           include arrest and criminal history records and relevant  
22           information from pre-sentence investigation reports.

23           (f) Report. The Council shall report in writing annually to  
24           the General Assembly, the Governor, and the Supreme Court.

25           (g) This Section is repealed on December 31, 2012.

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