

1 AN ACT concerning State government.

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

4 Section 5. The Sex Offender Management Board Act is amended
5 by changing Section 15 as follows:

6 (20 ILCS 4026/15)

7 Sec. 15. Sex Offender Management Board; creation; duties.

8 (a) There is created the Sex Offender Management Board,
9 which shall consist of 20 ~~24~~ members. The membership of the
10 Board shall consist of the following persons:

11 (1) Two members appointed by the Governor representing
12 the judiciary, one representing juvenile court matters and
13 one representing adult criminal court matters;

14 (2) One member appointed by the Governor representing
15 Probation Services based on the recommendation of the
16 Illinois Probation and Court Services Association;

17 (3) One member appointed by the Governor representing
18 the Department of Corrections;

19 (4) One member appointed by the Governor representing
20 the Department of Human Services;

21 (5) One member appointed by the Governor representing
22 the Illinois State Police;

23 (6) One member appointed by the Governor representing

1 the Department of Children and Family Services;

2 (7) One member appointed by the Attorney General
3 representing the Office of the Attorney General;

4 (8) One member ~~Two members~~ appointed by the Attorney
5 General who is a ~~are~~ licensed mental health professional
6 ~~professionals~~ with documented expertise in the treatment
7 of sex offenders;

8 (9) Two members appointed by the Attorney General who
9 are State's Attorneys or assistant State's Attorneys, one
10 representing juvenile court matters and one representing
11 felony court matters;

12 (10) One member being the Cook County State's Attorney
13 or his or her designee;

14 (11) One member being the Director of the State's
15 Attorneys Appellate Prosecutor or his or her designee;

16 (12) One member being the Cook County Public Defender
17 or his or her designee;

18 (13) Two members appointed by the Governor who are
19 representatives of law enforcement, one juvenile officer
20 and one sex crime investigator;

21 (14) Two members appointed by the Attorney General who
22 are recognized experts in the field of sexual assault and
23 who can represent sexual assault victims and victims'
24 rights organizations;

25 (15) One member being the State Appellate Defender or
26 his or her designee; and

1 ~~(16) One member being the President of the Illinois~~
2 ~~Polygraph Society or his or her designee;~~

3 (16) ~~(17)~~ One member being the Executive Director of
4 the Criminal Justice Information Authority or his or her
5 designee. †

6 ~~(18) One member being the President of the Illinois~~
7 ~~Chapter of the Association for the Treatment of Sexual~~
8 ~~Abusers or his or her designee; and~~

9 ~~(19) One member representing the Illinois Principal~~
10 ~~Association.~~

11 (b) The Governor and the Attorney General shall appoint a
12 presiding officer for the Board from among the board members
13 appointed under subsection (a) of this Section, which presiding
14 officer shall serve at the pleasure of the Governor and the
15 Attorney General.

16 (c) Each member of the Board shall demonstrate substantial
17 expertise and experience in the field of sexual assault.

18 (d) (1) Any member of the Board created in subsection (a)
19 of this Section who is appointed under paragraphs (1) through
20 (7) of subsection (a) of this Section shall serve at the
21 pleasure of the official who appointed that member, for a term
22 of 5 years and may be reappointed. The members shall serve
23 without additional compensation.

24 (2) Any member of the Board created in subsection (a) of
25 this Section who is appointed under paragraphs (8) through (14)
26 of subsection (a) of this Section shall serve for a term of 5

1 years and may be reappointed. However, the terms of the members
2 appointed under paragraphs (8) of subsection (a) of this
3 Section shall end on the effective date of this amendatory Act
4 of the 97th General Assembly. Within 30 days after the
5 effective date of this amendatory Act of the 97th General
6 Assembly, the Attorney General shall appoint a member under
7 paragraph (8) of subsection (a) of this Section to fill the
8 vacancy created by this amendatory Act of the 97th General
9 Assembly. A person who has previously served as a member of the
10 Board may be reappointed. The terms of the President of the
11 Illinois Polygraph Society or his or her designee, the
12 President of the Illinois Chapter of the Association for the
13 Treatment of Sexual Abusers or his or her designee, and the
14 member representing the Illinois Principal Association end on
15 the effective date of this amendatory Act of the 97th General
16 Assembly. The members shall serve without compensation.

17 (3) The travel costs associated with membership on the
18 Board created in subsection (a) of this Section will be
19 reimbursed subject to availability of funds.

20 (e) The first meeting of this Board shall be held within 45
21 days of the effective date of this Act.

22 (f) The Board shall carry out the following duties:

23 (1) Not later than December 31, 2001, the Board shall
24 develop and prescribe separate standardized procedures for
25 the evaluation and identification of the offender and
26 recommend behavior management, monitoring, and treatment

1 based upon the knowledge that sex offenders are extremely
2 habituated and that there is no known cure for the
3 propensity to commit sex abuse. The Board shall develop and
4 implement measures of success based upon a no-cure policy
5 for intervention. The Board shall develop and implement
6 methods of intervention for sex offenders which have as a
7 priority the physical and psychological safety of victims
8 and potential victims and which are appropriate to the
9 needs of the particular offender, so long as there is no
10 reduction of the safety of victims and potential victims.

11 (2) Not later than December 31, 2001, the Board shall
12 develop separate guidelines and standards for a system of
13 programs for the evaluation and treatment of both juvenile
14 and adult sex offenders which shall be utilized by
15 offenders who are placed on probation, committed to the
16 Department of Corrections or Department of Human Services,
17 or placed on mandatory supervised release or parole. The
18 programs developed under this paragraph (f) shall be as
19 flexible as possible so that the programs may be utilized
20 by each offender to prevent the offender from harming
21 victims and potential victims. The programs shall be
22 structured in such a manner that the programs provide a
23 continuing monitoring process as well as a continuum of
24 counseling programs for each offender as that offender
25 proceeds through the justice system. Also, the programs
26 shall be developed in such a manner that, to the extent

1 possible, the programs may be accessed by all offenders in
2 the justice system.

3 (3) There is established the Sex Offender Management
4 Board Fund in the State Treasury into which funds received
5 under any provision of law or from public or private
6 sources shall be deposited, and from which funds shall be
7 appropriated for the purposes set forth in Section 19 of
8 this Act, Section 5-6-3 of the Unified Code of Corrections,
9 and Section 3 of the Sex Offender Registration Act, and the
10 remainder shall be appropriated to the Sex Offender
11 Management Board for planning and research.

12 (4) The Board shall develop and prescribe a plan to
13 research and analyze the effectiveness of the evaluation,
14 identification, and counseling procedures and programs
15 developed under this Act. The Board shall also develop and
16 prescribe a system for implementation of the guidelines and
17 standards developed under paragraph (2) of this subsection
18 (f) and for tracking offenders who have been subjected to
19 evaluation, identification, and treatment under this Act.
20 In addition, the Board shall develop a system for
21 monitoring offender behaviors and offender adherence to
22 prescribed behavioral changes. The results of the tracking
23 and behavioral monitoring shall be a part of any analysis
24 made under this paragraph (4).

25 (g) The Board may promulgate rules as are necessary to
26 carry out the duties of the Board.

1 (h) The Board and the individual members of the Board shall
2 be immune from any liability, whether civil or criminal, for
3 the good faith performance of the duties of the Board as
4 specified in this Section.

5 (Source: P.A. 93-616, eff. 1-1-04.)