

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 3. The Rights of Crime Victims and Witnesses Act is
5 amended by changing Section 8.5 as follows:

6 (725 ILCS 120/8.5)

7 Sec. 8.5. Statewide victim and witness notification
8 system.

9 (a) The Attorney General may establish a crime victim and
10 witness notification system to assist public officials in
11 carrying out their duties to notify and inform crime victims
12 and witnesses under Section 4.5 of this Act or under
13 subsections (a), (a-2), and (a-3) of Section 120 of the Sex
14 Offender Community Notification Law as the Attorney General
15 specifies by rule. The system shall download necessary
16 information from participating officials into its computers,
17 where it shall be maintained, updated, and automatically
18 transmitted to victims and witnesses by telephone, computer, or
19 written notice.

20 (b) The Illinois Department of Corrections, the Department
21 of Juvenile Justice, the Department of Human Services, and the
22 Prisoner Review Board shall cooperate with the Attorney General
23 in the implementation of this Section and shall provide

1 information as necessary to the effective operation of the
2 system.

3 (c) State's attorneys, circuit court clerks, and local law
4 enforcement and correctional authorities may enter into
5 agreements with the Attorney General for participation in the
6 system. The Attorney General may provide those who elect to
7 participate with the equipment, software, or training
8 necessary to bring their offices into the system.

9 (d) The provision of information to crime victims and
10 witnesses through the Attorney General's notification system
11 satisfies a given State or local official's corresponding
12 obligation to provide the information.

13 (e) The Attorney General may provide for telephonic,
14 electronic, or other public access to the database established
15 under this Section.

16 (f) The Attorney General shall adopt rules as necessary to
17 implement this Section. The rules shall include, but not be
18 limited to, provisions for the scope and operation of any
19 system the Attorney General may establish and procedures,
20 requirements, and standards for entering into agreements to
21 participate in the system and to receive equipment, software,
22 or training.

23 (g) There is established in the Office of the Attorney
24 General a Crime Victim and Witness Notification Advisory
25 Committee consisting of those victims advocates, sheriffs,
26 State's Attorneys, circuit court clerks, Illinois Department

1 of Corrections, the Department of Juvenile Justice, and
2 Prisoner Review Board employees that the Attorney General
3 chooses to appoint. The Attorney General shall designate one
4 member to chair the Committee.

5 (1) The Committee shall consult with and advise the
6 Attorney General as to the exercise of the Attorney
7 General's authority under this Section, including, but not
8 limited to:

9 (i) the design, scope, and operation of the
10 notification system;

11 (ii) the content of any rules adopted to implement
12 this Section;

13 (iii) the procurement of hardware, software, and
14 support for the system, including choice of supplier or
15 operator; and

16 (iv) the acceptance of agreements with and the
17 award of equipment, software, or training to officials
18 that seek to participate in the system.

19 (2) The Committee shall review the status and operation
20 of the system and report any findings and recommendations
21 for changes to the Attorney General and the General
22 Assembly by November 1 of each year.

23 (3) The members of the Committee shall receive no
24 compensation for their services as members of the
25 Committee, but may be reimbursed for their actual expenses
26 incurred in serving on the Committee.

1 (h) The Attorney General shall not release the names,
2 addresses, phone numbers, personal identification numbers, or
3 email addresses of any person registered to receive
4 notifications to any other person except State or local
5 officials using the notification system to satisfy the
6 official's obligation to provide the information. The Attorney
7 General may grant limited access to the Automated Victim
8 Notification system (AVN) to law enforcement, prosecution, and
9 other agencies that provide service to victims of violent crime
10 to assist victims in enrolling and utilizing the AVN system.

11 (Source: P.A. 96-1092, eff. 1-1-11.)

12 Section 5. The Unified Code of Corrections is amended by
13 changing Section 3-3-4 as follows:

14 (730 ILCS 5/3-3-4) (from Ch. 38, par. 1003-3-4)

15 Sec. 3-3-4. Preparation for Parole Hearing.

16 (a) The Prisoner Review Board shall consider the parole of
17 each eligible person committed to the Department of Corrections
18 at least 30 days prior to the date he or she shall first become
19 eligible for parole, and shall consider the aftercare release
20 of each person committed to the Department of Juvenile Justice
21 as a delinquent at least 30 days prior to the expiration of the
22 first year of confinement.

23 (b) A person eligible for parole or aftercare release
24 shall, no less than 15 days in advance of his or her parole

1 interview, prepare a parole or aftercare release plan in
2 accordance with the rules of the Prisoner Review Board. The
3 person shall be assisted in preparing his or her parole or
4 aftercare release plan by personnel of the Department of
5 Corrections, or the Department of Juvenile Justice in the case
6 of a person committed to that Department, and may, for this
7 purpose, be released on furlough under Article 11 or on
8 authorized absence under Section 3-9-4. The appropriate
9 Department shall also provide assistance in obtaining
10 information and records helpful to the individual for his or
11 her parole hearing. If the person eligible for parole or
12 aftercare release has a petition or any written submissions
13 prepared on his or her behalf by an attorney or other
14 representative, the attorney or representative for the person
15 eligible for parole or aftercare release must serve by
16 certified mail the State's Attorney of the county where he or
17 she was prosecuted with the petition or any written submissions
18 15 days after his or her parole interview. The State's Attorney
19 shall provide the attorney for the person eligible for parole
20 or aftercare release with a copy of his or her letter in
21 opposition to parole or aftercare release via certified mail
22 within 5 business days of the en banc hearing.

23 (c) Any member of the Board shall have access at all
24 reasonable times to any committed person and to his or her
25 master record file within the Department, and the Department
26 shall furnish such a report to the Board concerning the conduct

1 and character of any such person prior to his or her parole
2 interview.

3 (d) In making its determination of parole or aftercare
4 release, the Board shall consider:

5 (1) material transmitted to the Department of Juvenile
6 Justice by the clerk of the committing court under Section
7 5-4-1 or Section 5-10 of the Juvenile Court Act or Section
8 5-750 of the Juvenile Court Act of 1987;

9 (2) the report under Section 3-8-2 or 3-10-2;

10 (3) a report by the Department and any report by the
11 chief administrative officer of the institution or
12 facility;

13 (4) a parole or aftercare release progress report;

14 (5) a medical and psychological report, if requested by
15 the Board;

16 (6) material in writing, or on film, video tape or
17 other electronic means in the form of a recording submitted
18 by the person whose parole or aftercare release is being
19 considered;

20 (7) material in writing, or on film, video tape or
21 other electronic means in the form of a recording or
22 testimony submitted by the State's Attorney and the victim
23 or a concerned citizen pursuant to the Rights of Crime
24 Victims and Witnesses Act; and

25 (8) the person's eligibility for commitment under the
26 Sexually Violent Persons Commitment Act.

1 (e) The prosecuting State's Attorney's office shall
2 receive from the Board reasonable written notice not less than
3 30 days prior to the parole or aftercare release interview and
4 may submit relevant information by oral argument or testimony
5 of victims and concerned citizens, or both, in writing, or on
6 film, video tape or other electronic means or in the form of a
7 recording to the Board for its consideration. Upon written
8 request of the State's Attorney's office, the Prisoner Review
9 Board shall hear protests to parole, or aftercare release,
10 except in counties of 1,500,000 or more inhabitants where there
11 shall be standing objections to all such petitions. If a
12 State's Attorney who represents a county of less than 1,500,000
13 inhabitants requests a protest hearing, the inmate's counsel or
14 other representative shall also receive notice of such request.
15 This hearing shall take place the month following the inmate's
16 parole or aftercare release interview. If the inmate's parole
17 or aftercare release interview is rescheduled then the Prisoner
18 Review Board shall promptly notify the State's Attorney of the
19 new date. The person eligible for parole or aftercare release
20 shall be heard at the next scheduled en banc hearing date. If
21 the case is to be continued, the State's Attorney's office and
22 the attorney or representative for the person eligible for
23 parole or aftercare release will be notified of any continuance
24 within 5 business days. The State's Attorney may waive the
25 written notice.

26 (f) The victim of the violent crime for which the prisoner

1 has been sentenced shall receive notice of a parole or
2 aftercare release hearing as provided in paragraph (4) of
3 subsection (d) of Section 4.5 of the Rights of Crime Victims
4 and Witnesses Act.

5 (g) Any recording considered under the provisions of
6 subsection (d)(6), (d)(7) or (e) of this Section shall be in
7 the form designated by the Board. Such recording shall be both
8 visual and aural. Every voice on the recording and person
9 present shall be identified and the recording shall contain
10 either a visual or aural statement of the person submitting
11 such recording, the date of the recording and the name of the
12 person whose parole or aftercare release eligibility is being
13 considered. Such recordings shall be retained by the Board and
14 shall be deemed to be submitted at any subsequent parole or
15 aftercare release hearing if the victim or State's Attorney
16 submits in writing a declaration clearly identifying such
17 recording as representing the present position of the victim or
18 State's Attorney regarding the issues to be considered at the
19 parole or aftercare release hearing.

20 (h) The Board shall not release any material to the inmate,
21 the inmate's attorney, any third party, or any other person
22 containing any information from the victim or from a person
23 related to the victim by blood, adoption, or marriage who has
24 written objections, testified at any hearing, or submitted
25 audio or visual objections to the inmate's parole, or aftercare
26 release, unless provided with a waiver from that objecting

1 party. The Board shall not release the names or addresses of
2 any person on its victim registry to any other person except
3 the victim, a law enforcement agency, or other victim
4 notification system.

5 (Source: P.A. 97-523, eff. 1-1-12; 97-1075, eff. 8-24-12;
6 97-1083, eff. 8-24-12; 98-463, eff. 8-16-13; 98-558, eff.
7 1-1-14.)