



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5764

by Rep. John M. Cabello

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-14-2

from Ch. 38, par. 1003-14-2

Amends the Unified Code of Corrections. Provides that the supervising officer shall request the Department of Corrections to issue a parole violation warrant, and the Department shall issue a parole violation warrant, under the following circumstances: (1) if the parolee or releasee commits an act that constitutes a Class A misdemeanor or a felony, (2) if applicable, fails to comply with the requirements of the Sex Offender Registration Act, or (3) if the parolee or releasee is charged with violation of an order of protection (rather than specified offenses).

LRB098 18938 RLC 54085 b

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 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.

12 (c-1) The supervising officer shall request the Department
13 to issue a parole violation warrant, and the Department shall
14 issue a parole violation warrant, under the following
15 circumstances:

16 (1) if the parolee or releasee commits an act that
17 constitutes a Class A misdemeanor or a felony ~~using a~~
18 ~~firearm or knife,~~

19 (2) if applicable, fails to comply with the
20 requirements of the Sex Offender Registration Act, or

21 (3) if the parolee or releasee is charged with:

22 (A) (blank), ~~a felony offense of domestic battery~~
23 ~~under Section 12-3.2 of the Criminal Code of 1961 or~~
24 ~~the Criminal Code of 2012,~~

25 (B) (blank), ~~aggravated domestic battery under~~
26 ~~Section 12-3.3 of the Criminal Code of 1961 or the~~

1 ~~Criminal Code of 2012,~~

2 (C) (blank), ~~stalking under Section 12-7.3 of the~~
3 ~~Criminal Code of 1961 or the Criminal Code of 2012,~~

4 (D) (blank), ~~aggravated stalking under Section~~
5 ~~12-7.4 of the Criminal Code of 1961 or the Criminal~~
6 ~~Code of 2012,~~

7 (E) violation of an order of protection under
8 Section 12-3.4 or 12-30 of the Criminal Code of 1961 or
9 the Criminal Code of 2012, or

10 (F) (blank), ~~any offense that would require~~
11 ~~registration as a sex offender under the Sex Offender~~
12 ~~Registration Act, or~~

13 (4) (blank). ~~if the parolee or releasee is on parole or~~
14 ~~mandatory supervised release for a murder, a Class X felony~~
15 ~~or a Class 1 felony violation of the Criminal Code of 1961~~
16 ~~or the Criminal Code of 2012, or any felony that requires~~
17 ~~registration as a sex offender under the Sex Offender~~
18 ~~Registration Act and commits an act that constitutes first~~
19 ~~degree murder, a Class X felony, a Class 1 felony, a Class~~
20 ~~2 felony, or a Class 3 felony.~~

21 A sheriff or other peace officer may detain an alleged
22 parole or release violator until a warrant for his return to
23 the Department can be issued. The parolee or releasee may be
24 delivered to any secure place until he can be transported to
25 the Department. The officer or the Department shall file a
26 violation report with notice of charges with the Prisoner

1 Review Board.

2 (d) The supervising officer shall regularly advise and
3 consult with the parolee or releasee, assist him in adjusting
4 to community life, inform him of the restoration of his rights
5 on successful completion of sentence under Section 5-5-5. If
6 the parolee or releasee has been convicted of a sex offense as
7 defined in the Sex Offender Management Board Act, the
8 supervising officer shall periodically, but not less than once
9 a month, verify that the parolee or releasee is in compliance
10 with paragraph (7.6) of subsection (a) of Section 3-3-7.

11 (e) Supervising officers shall receive specialized
12 training in the special needs of female releasees or parolees
13 including the family reunification process.

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

17 (Source: P.A. 96-282, eff. 1-1-10; 96-1447, eff. 8-20-10;
18 97-389, eff. 8-15-11; 97-1150, eff. 1-25-13.)