Budgeting for Results

IDOC Electronic Monitoring Program Assessment

Introduction

The statute that created Budgeting for Results (BFR) states that in Illinois, budgets submitted and appropriations made must adhere to a method of budgeting where priorities are justified each year according to merit (Public Act 96-958). The BFR Commission, established by the same statute, has worked since 2011 to create and implement a structure for data-driven program assessment useful to decision makers.

The BFR framework utilizes the Results First benefit-cost model and the State Program Assessment Rating Tool to produce comprehensive assessments of state funded programs.

The Pew-MacArthur Results First Initiative developed a benefit-cost analysis model based on methods from the Washington State Institute for Public Policy (WSIPP). The Results First benefit-cost model can conduct analysis on programs within multiple policy domains including: adult crime, juvenile justice, substance use disorders, K-12 education, general prevention, health, higher education, mental health, and workforce development.

The State Program Assessment Rating Tool (SPART) combines both quantitative (benefit-cost results) and qualitative components in a comprehensive report. It is based on the federal Program Assessment Rating Tool (PART) developed by the President's Office of Management and Budget and has been modified for state use. The SPART provides a universal rating classification to allow policy makers and the public to more easily compare programs and their performance across results areas.

Methods

BFR begins each assessment by modeling an Illinois program's design and assessing its implementation. Each program is then matched with an existing rigorously studied program or policy. BFR completes a comprehensive review of related program literature to inform the modeling and matching process.

Each rigorously studied program has an effect size determined from existing validated research that summarizes the extent to which a program impacts a desired outcome. The effect size is useful in understanding the impact of a program run with fidelity to best practices or core principles.

The Results First benefit-cost model uses the effect size combined with the state's unique population and resource characteristics to project the optimal return on investment that can be realized by taxpayers, victims of crime, and others in society when program goals are achieved.

The SPART contains summary program information, historical and current budgetary information, the statutory authority for the program, performance goals and performance measures. The SPART tool consists of weighted questions, which tally to give a program a numerical score of 1-100. Numerical scores are converted into qualitative assessments of program performance: effective, moderately effective, marginal and not effective.

Benefit-Cost Summary – IDOC Electronic Monitoring

This is the benefit-cost analysis in the Adult Crime domain of the Electronic Monitoring program run by Illinois Department of Corrections (IDOC) in conjunction with the Illinois Prisoner Review Board (PRB). The Electronic Monitoring program has the potential to reduce recidivism by increasing supervision for certain offenders who have violated the conditions of their parole. It also can potentially save costs for IDOC in the short term if it is used as an alternative to reincarceration for those offenders.

In FY2017, an average of 580 parolees were on electronic monitoring each month. The program's FY2017 expenditures were approximately $2.1 million. The benefit-cost analysis completed by BFR calculated that for every one dollar spent on Electronic Monitoring by IDOC, $10.75 of future benefits could be realized by Illinois taxpayers and crime victims.

The major takeaways from this analysis can be found in *Table 1* below along with the program's comprehensive SPART score. The optimal benefits are projected for programs run with fidelity to best practices or core principles. The optimal benefits are determined using a standard metric called an effect size. The real costs of a program are the sum of its direct and indirect costs. The benefit/cost ratio is the optimal return on investment (OROI) Illinois can expect from implementing the program with fidelity. BFR performs a Monte Carlo risk estimate showing the percent of time that the benefits exceed the costs when simulated 10,000 times with random variation in costs and benefits.

Table 1:

Benefit-Cost Results Illinois Electronic Monitoring per Participant	
Optimal Benefits	$11,579
Real Cost (Net)	$1,078
Benefits - Costs	$10,501
Benefits/Costs (OROI)	$10.75
Chance Benefits Will Exceed Costs	100%
SPART Score	45, Marginal

Benefit-Cost Detail – IDOC Electronic Monitoring

Program Information

Electronic Monitoring is a tool used to track certain offenders who are released from IDOC custody onto parole. Parolees who have violated the terms of their parole may be placed on electronic monitoring as a form of increased supervision or diversion from incarceration. One of the primary outcomes this program was implemented to achieve is a reduction in recidivism. This program is also intended as a diversion from incarceration.

Using program information gathered with IDOC and PRB, BFR matched Illinois' Electronic Monitoring program with the Corrections-Based Electronic Monitoring practice profile in the *CrimeSolutions.gov* clearinghouse. The information for Electronic Monitoring in Illinois provided by IDOC and PRB is described in *Table 2*.

Table 2:

Program Name	Program Description
Electronic Monitoring	- Electronic Monitoring is a tool used to track certain offenders who are released from IDOC custody onto parole. - Parolees who have violated the terms of their parole may be placed on electronic monitoring as a form of increased supervision or diversion from incarceration. - Parole agents can program curfew restrictions into the monitoring devices, which then send alerts when parolees are not in compliance. - Electronic monitoring provides for public safety and better compliance from parolees through increased supervision. - In FY2017 an average of 580 parolees per month were on electronic monitoring.

The clearinghouse rated this type of program as "promising" based a study in June 2009, of 2,392 Florida offenders:

> Compared with the control group on other forms of community supervision, Electronic Monitoring (EM) reduced the risk of failure by 31 percent. EM had a greater impact on sex, property, drug, and other types of offenders than on violent offenders, though the effect remained significant for EM supervision of violent offenders compared with other forms (non- EM) of community supervision.[1]

The clearinghouse explained that in addition to increasing compliance to reduce recidivism, this program can also be used as an alternative to detention.

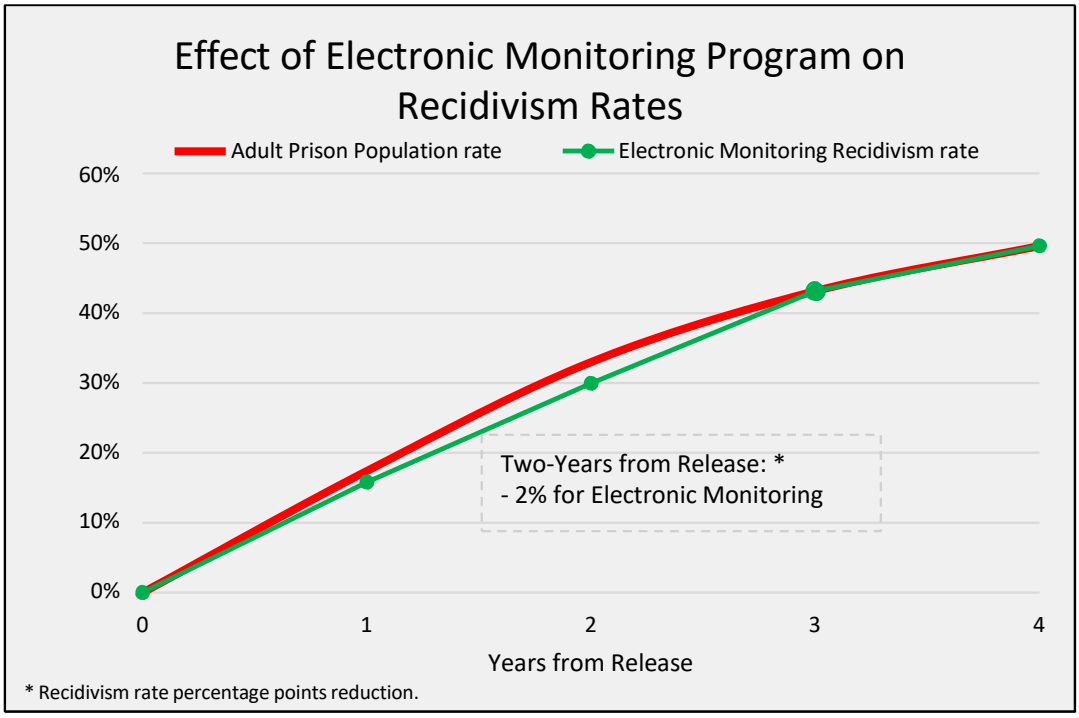
[1] Crime Solutions (https://www.crimesolutions.gov/ProgramDetails.aspx?ID=230)

Analysis

The duration of future benefits is estimated annually over several years (but discounted to today's value). The standard for Illinois is to track prisoners released from IDOC in the same year and record their recidivism over the next three years.

For participants in the Electronic Monitoring program, the benefit-cost analysis predicts a 2% decrease in the recidivism rate[2] 2 years from release from IDOC custody, as shown in *Figure 1.* The predicted 2-year recidivism rate for participants in the Electronic Monitoring program is 30%.

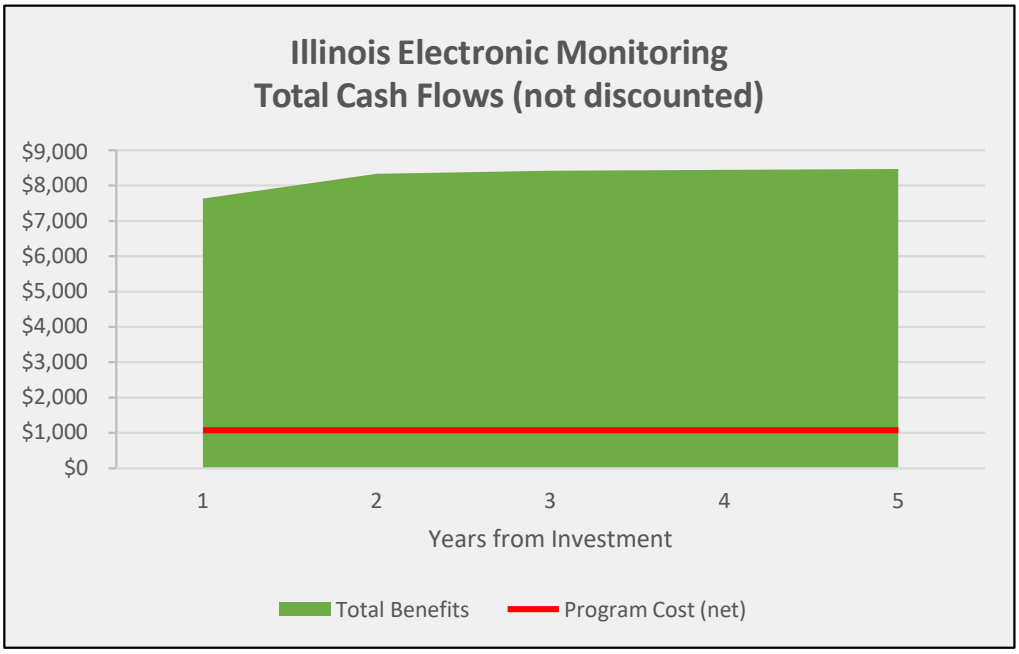
Figure 1:



[2] Recidivism is defined as reconviction after a release from prison or sentence to probation.

The cumulative annual costs and benefits for the IDOC Electronic Monitoring program can be seen below in *Figure 2.* For this program all costs are incurred in the first year, and benefits accrue over time. The red line across the graph depicts net program costs. The green area shows how program benefits accumulate. As illustrated, the program benefits immediately exceed the program costs, as Electronic Monitoring can be used as an additional form of supervision or as an alternative to incarceration.

Figure 2:



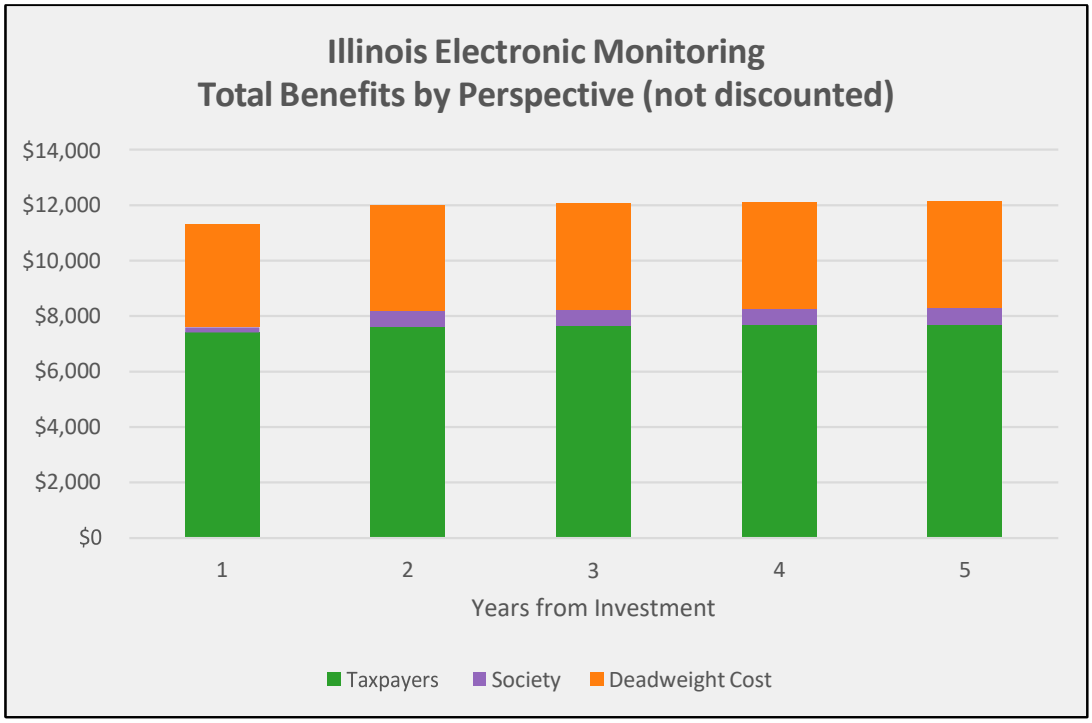
The Illinois Electronic Monitoring program could optimally produce $11,204 in future lifetime benefits per average participant. The benefits to Illinois are based on avoided criminal justice expenses and avoided private costs incurred as a result of fewer crime victims. The private victimization costs include lost property, medical bills, wage loss, and the pain and suffering experienced by crime victims.

Taxpayers avoid paying for additional criminal justice system costs of arrests and processing; prosecutions, defense, and trials; and incarceration and supervision. Lower incarceration rates lead to fewer prisoners that need to be paid for by the State.

Additional indirect benefits accrue to society as well, including better use of the tax dollars that are currently raised, and future taxes that won't have to be raised to pay for avoidable costs due to recidivism. When tax revenue is spent on one program, it has an opportunity cost of revenue that cannot be spent on other beneficial programs and services like public safety or economic development. Money that is taxed is also not available for private consumption and investment. The indirect benefits of making effective, economically efficient investments to reduce criminal recidivism are quantified within the Results First model using the Deadweight Cost of Taxation.

Figure 3 below illustrates that a majority of the benefits come from future avoided taxpayer costs, some of the benefits come from future victimization costs avoided by society in general, and the remaining benefits come from other avoided indirect deadweight costs.

Figure 3:



This is analysis run by BFR using the Results First cost-benefit model. Additional benefit-cost reports and supporting information are available at Budget.Illinois.gov.

State Program Assessment Rating Tool (SPART)
Electronic Monitoring
426- Illinois Department of Corrections

This report was compiled by the Budgeting for Results Unit of the Governor's Office of Management and Budget with the support of the Illinois Department of Corrections (IDOC). The SPART is an assessment of the performance of state agency programs. Points are awarded for each element of the program including: evidence based practices, strategic planning, program management and program results. This combined with cost-benefit analysis through Results First establishes an overall rating of the program's effectiveness, which can be found on the final page of this report.

Section 1: General Information

Prior Year (PY), Current Year (CY), Fiscal Year (FY) Budget (in thousands) Appropriated_( ) Expended(**X)**

PY 2014	PY 2015	PY 2016	PY 2017	CY 2018	FY 2019
N/A	3,027.7	$2,501.7	$2,115,6	$2,604.2	N/A

Is this program mandated by law? Yes_X_ No____

Identify the Origin of the law. State_X_ Federal____ Other____

Statutory Cite_730 ILCS 5/3-3-7(a) 730 ILCS 5/ 7.7

Program Continuum Classification Prevention, Indicated

Evaluability

Provide a brief narrative statement on factors that impact the evaluability of this program.

The Department of Corrections (IDOC) asserts that the parameters for entry into, and processing out of, this program are established in statute and by the Illinois Prisoner Review Board (IPRB). Consequently, the agency believes it is neither capable of nor responsible for setting annual performance targets and goals. PRB establishes goals per parolee on a case-by-case basis using a mix of statutory and professional judgement criteria. It is difficult for the reviewer to discern from the information provided by IDOC and PRB a universal set of goals for the program as a whole. This has made a complete evaluation of the implementation of this program challenging.

Key Performance Measure	FY 2014	FY 2015	FY 2016	Reported in IPRS Y/N
Average number of parolee monitors in use	2,740	2,378	2,300	Y

Section 2: Program Design and Benefit-Cost

Total Points Available: 30
Total Points Awarded: 25

Question	Points Available	Yes/Partial /No	Points Awarded	Explanation
2.1 Is the Program Evidence Based ?	10	YES	10	This program design was matched with evidence-based programs in the Results First clearinghouse. Please see the attached clearinghouse reports from the National Institute of Justice.
2.2 Does the program design have fidelity to best practices?	10	Partial	5	This program design was matched with evidence-based programs in the Results First clearinghouse. However, best practices as established are not being consistently applied. Please see the attached reports from the CrimeSolutions.gov clearinghouse.
2.3 Is the return on investment for this program equal to or greater than $1 for each $1 spent?	10	YES	10	The Program did achieve a greater than one dollar return on investment. The benefit to cost ratio is $10.75. For additional details, please see the Results First Program Report in Section 1 of this report.

Section 3: Program Management and Implementation

Total Points Available: 30
Total Points Awarded: 10

Question	Points Available	Yes/Partial /No	Points Awarded	Explanation
3.1 Does the program have a limited number of specific annual performance measures that can demonstrate progress toward achieving the program's long-term goals?	10	Partial	5	The program does have performance measures reported in IPRS. Please see the attached report. However, the measures reported do not, by themselves, completely demonstrate progress toward long-term goals.
3.2 Do the annual performance measures focus on outcomes?	10	Partial	5	Performance measures reported in IPRS focus primarily on output rather than outcomes. See attached IPRS report.
3.3 Are independent and thorough evaluations Of the program conducted on a regular basis or as needed to support program improvements and evaluate effectiveness?	10	No	0	No independent evaluations are currently available for this program.

Section 3: Program Management and Implementation

Total Points Available: 20
Total Points Awarded: 10

Question	Points Available	Yes/Partial /No	Points Awarded	Explanation
3.4 Does the Agency regularly collect timely and credible performance information?	10	Yes	10	The agency does collect timely and credible performance information. Please see attached IPRS report.
3.5 Does the Agency use performance information (including that collected from program partners) to adjust program priorities, allocate resources, or take other appropriate management actions?	10	No	0	There has been no evidence provided by the agency to indicate that any of the performance data gathered in the course of implementing this program has been used to adjust program priorities or allocate resources.

Section 3: Program Management and Implementation

Total Points Available: 20
Total Points Awarded: 0

Question	Points Available	Yes/Partial /No	Points Awarded	Explanation
3.6 Does the program (including program partners) commit to and achieve annual performance targets?	10	No	0	Although program performance targets have been set in statute (see attached 730 ILCS 5/3-3-7(a) 730 ILCS 5/ 7.7), and by the adjudications of the Illinois Prisoner Review Board, program managers have stated that they cannot commit to establishing and achieving performance targets or goals for this program. This is because there is dispute over which department is responsible for establishing overall targets and goals.
3.7 Is the program (including program partners) on track to meet all performance goals, including targets and timeframes?	10	No	0	IDOC asserts that the parameters for entry into, and processing out of, this program are established in statute and by the IPRB. Consequently, the agency believes it is neither capable of nor responsible for setting annual performance targets and goals. IPRB establishes goals per parolee on a case-by-case basis using a mix of statutory and professional judgement criteria. It is difficult for the reviewer to discern by the information provided by IDOC and IPRB a universal set of goals for the program as a whole.

Concluding Comments

Electronic monitoring serves as an increased level of monitoring for higher risk parolees. It provides for public safety and better compliance from parolees through increased supervision. Parolees who have violated the terms of their parole may be placed on electronic monitoring as a form of diversion from incarceration. This form of monitoring allows parole agents to schedule curfew parameters for parolees and the equipment provides alerts when parolees are not in compliance. The program was found to be deficient in having independent program evaluations available. However, this is an issue common to programs across state agencies. Although, the agency does report certain program performance measures via the IPRS, the measure was primarily output oriented and did not meaningfully measure the program's goal of monitoring high risk parolees to ensure better compliance. It is recommended that program administrators identify additional program performance data available to institute additional performance measures that indicate progress toward achieving the program's goals. In addition, it is recommended that more robust annual target setting and performance tracking relative to the target be undertaken. It is further recommended that IDOC and PRB work together to establish necessary targets and goals.

Final Program Score and Rating

Final Score	Program Rating
45	Marginal

SPART Ratings

Programs that are PERFORMING have ratings of Effective, Moderately Effective, or Adequate.

- Effective. This is the highest rating a program can achieve. Programs rated Effective set ambitious goals, achieve results, are well-managed and improve efficiency. Score 75-100
- Moderately Effective. In general, a program rated Moderately Effective has set ambitious goals and is well-managed. Moderately Effective programs likely need to improve their efficiency or address other problems in the programs' design or management in order to achieve better results. Score 50-74
- Marginal. This rating describes a program that needs to set more ambitious goals, achieve better results, improve accountability or strengthen its management practices. Score 25-49

Programs categorized as NOT PERFORMING have ratings of Ineffective or Results Not Demonstrated.

- Ineffective. Programs receiving this rating are not using your tax dollars effectively. Ineffective programs have been unable to achieve results due to a lack of clarity regarding the program's purpose or goals, poor management, or some other significant weakness. Score 0-24

- Results Not Demonstrated. A rating of Results Not Demonstrated (RND) indicates that a program has not been able to develop acceptable performance goals or collect data to determine whether it is performing.

Glossary

Best Practices: Policies or activities that have been identified through evidence-based policymaking to be most effective in achieving positive outcomes.

Evidence-Based: Systematic use of multiple, rigorous studies and evaluations which demonstrate the efficacy of the program's theory of change and theory of action.

Illinois Performance Reporting System (IPRS): The state's web-based database for collecting program performance data. The IPRS database allows agencies to report programmatic level data to the Governor's Office of Management and Budget on a regular basis.

Optimal Return on Investment (OROI): A dollar amount that expresses the present value of program benefits net of program costs that can be expected if a program is implemented with fidelity to core principles or best practices.

Outcome Measures: Outcomes describe the intended result of carrying out a program or activity. They define an event or condition that is external to the program or activity and that is of direct importance to the intended beneficiaries and/or the general public. For example, one outcome measure of a program aimed to prevent the acquisition and transmission of HIV infection is the number (reduction) of new HIV infections in the state.

Output Measures: Outputs describe the level of activity that will be provided over a period of time, including a description of the characteristics (e.g., timeliness) established as standards for the activity. Outputs refer to the internal activities of a program (i.e., the products and services delivered). For example, an output could be the percentage of warnings that occur more than 20 minutes before a tornado forms.

Results First Clearinghouse Database: One-stop online resource providing policymakers with an easy way to find information on the effectiveness of various interventions as rated by eight nation research clearinghouses which conduct systematic research reviews to identify which policies and interventions work.

Target: A quantifiable metric established by program managers or the funding entity established as a minimum threshold of performance (outcome or output) the program should attain within a specified timeframe. Program results are evaluated against the program target.

Theory Informed: A program where a lesser amount of evidence and/or rigor exists to validate the efficacy of the program's theory of change and theory of action than an evidence-based program.

Theory of Change: The central processes or drives by which a change comes about for individuals, groups and communities

Theory of Action: How programs or other interventions are constructed to activate theories of change.

Supporting Documentation

Agency	Department Of Corrections
Program Name	Electronic Monitoring
Program Description	Electronic monitoring serves as an increased level of monitoring for higher risk parolees. This increased level of monitoring provides for increased public safety and increased compliance for parolees with this increased level of supervision.
Target Population	Parolees who are higher-level risk; parolees who have violated the terms of their parole and placed on electric monitoring as a form of diversion of incarceration.
Activities	Allows parole agents to schedule curfew parameters for parolees and provides alerts when parolees are not in compliance.
Goals	To ensure offender whereabouts in an efficient and accountable manner. It also is a valuable tool that can be used to divert offenders from being re-incarcerated for low level violations.
Outcome	Create Safer Communities

PROGRAM FUNDING

Appropriations ($ thousands)		
FY16 Actual	**FY17 Enacted**	**FY18 Recommended**
3,920.2	3,747.3	4,209.4

MEASURES

Average number of parolee monitors in use

Reported : Annually **Key Indicator :** Yes **Desired Direction :** Increase

Benchmark : Prior fiscal year's numbers **Source :** Internal reports

Baseline : 3,100 **Baseline Date :** 7/1/2013

Methodology : We will continue hook up applicable offenders with electronic monitoring devices based on orders received from the Prisoner Review Board in an effort to ensure public safety.

FY 2016	FY 2017	FY 2018 Est.	FY 2019 Proj.
2,300	2,000	2,000	

Program Profile: Electronic Monitoring (Florida)

Evidence Rating: Promising - One study

Date: This profile was posted on *April 24, 2012*

Program Summary

Uses systems based on radio frequency or global positioning system (GPS) technology to monitor offenders' locations and movements in community-based settings. The program is rated Promising. Compared with the control group on other forms of community supervision, the technology reduced the risk of failure to comply.

Program Description

Program Goals/Target Population

The Florida Department of Corrections (DOC) approved the use of Electronic Monitoring (EM) in 1987 to track offenders, to increase compliance with the terms of offenders' release into the community, and to thereby reduce recidivism. Increasingly, the use of EM targets sex offenders and violent offenders. As of June 2009, 2,392 of Florida's 143,191 offenders under community supervision were being monitored through EM.

Program Description

EM has emerged as an important tool around the Nation in the handling of offenders, particularly sex offenders. According to the most recent Interstate Commission on Adult Offender Supervision (ICAOS 2006) GPS Government Survey, 23 States currently have some sort of GPS monitoring program for sex offenders. Florida was an early adopter of the technology, with its legislature approving the use of EM in 1987. In 2005, the Jessica Lunsford Act (JLA) was signed into law in Florida, introducing new provisions and increased penalties, including that certain sex offenders be subject to EM for life. The JLA also included appropriations to increase the number of EM units available. As a result, the number of offenders monitored by EM roughly tripled, to reach 2,392 as of June 2009.

The first type of EM adopted—introduced into the Florida Department of Corrections (FDOC) in 1988 for offenders sentenced to house arrest—was a radio frequency (RF) system. This type of unit can be used to indicate whether an offender on house arrest is at home. The equipment consists of a tamper-resistant small transmitter worn by the offender. The transmitter communicates with a small receiving unit tied into the phone landline. The receiving unit notifies a monitoring station if the signal is lost; if so, the probation officer is notified. RF systems can be programmed to take work or religious schedules into account allowing offenders to be off-site at predetermined times. Officers can also use a "drive by" monitoring device to verify the location of the offender, whether at home, at work, or in treatment as scheduled. An RF unit costs about $1.97 per day (Bales et al. 2010). A decreasing number of offenders in Florida are tracked through RF systems, dropping to 99 in FY 2008 –09 (Bales et al. 2010).

The second system, active GPS monitoring, was introduced into use in 1997. This technology depends on a network of satellites to triangulate the offender's physical location. The equipment consists of a tamper-resistant bracelet worn by the offender and a tracking device carried by the offender. The tracking device uses transmissions received from the satellites to calculate the offender's position and transmits the data to a monitoring center through a cell phone system. This information is transmitted in a slightly different fashion by passive and active GPS systems. The passive GPS system stores and transmits data at appointed times to the monitoring center. In contrast, the active GPS system transmits information in near "real time" on the individual's location to the monitoring center. This near real-time transmission allows the center to alert the probation officer immediately when a violation occurs. Both GPS systems can be modified so that certain zones are excluded (such as schools or other places where children congregate) or included (such as a work zone). They also provide information on where an individual has been throughout the course of the day and when the offender was at the different locations. The passive GPS system costs about $4.00 per day (Florida Senate Committee on Criminal Justice 2004); the active system costs about $8.94 per day (Bales et al. 2010). While the active GPS equipment is the more expensive of the two, the total cost of operating the passive GPS equipment is almost double that of the active GPS system when staff costs are included. Florida stopped using the passive GPS in 2006 because of cost considerations (NIJ 2011). All of Florida DOC offenders are monitored with active GPS units.

Offenders placed on EM can be required to reimburse FDOC for the costs of the EM equipment. Offenders can be charged with violation of probation conditions for nonpayment of fees as imposed by the court. The department also has the right to charge offenders for damaged equipment.

Additional Information

To understand perceptions of people involved with EM, Bales and colleagues (2010) conducted interviews with probation officers and administrators involved in overseeing EM programs and offenders on EM, as well as offenders being monitored with EM. Administrators reported viewing EM as a tool for probation officers to do their job, not as a substitute for personal contact. Offenders and officers differed in their perceptions of how EM affected the likelihood of absconding. Eight-five percent of offenders reported that EM did not affect the likelihood of absconding, while 58 percent of officers thought that EM reduced the risk of absconding.

Program Snapshot

Age: 14+

Gender: Both

Race/Ethnicity: Black, Hispanic, White

Geography: Rural, Suburban, Urban

Setting (Delivery): Home, Workplace, Other Community Setting

Program Type: Alternatives to Detention, Alternatives to Incarceration, Home Confinement with or without Electronic Monitoring, Probation/Parole Services, Electronic Monitoring, Specific deterrence

Targeted Population: Serious/Violent Offender, Sex Offenders, High Risk Offenders

Current Program Status: Active

Listed by Other Directories: Model Programs Guide

Program Director:
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Most of those interviewed reported that EM affected offenders' lives in negative ways. Forty-three percent of offenders and 89 percent of officers reported that EM had a negative impact on the offenders' families. Also, offenders reported feeling a sense of shame and unfair stigmatization because, in large part, of the association of EM with sex offenders. Almost all offenders and officers reported their belief that EM makes it difficult for offenders to find and keep a job. EM, however, did not affect the ability of offenders to find housing. And despite the negative drawbacks associated with EM, most offenders (88.4 percent) reported preferring EM to incarceration.

Evaluation Outcomes

Study 1

Risk of Failure

Bales and colleagues (2010) found that, compared with the control group on other forms of community supervision, Electronic Monitoring (EM) reduced the risk of failure by 31 percent. GPS was slightly more effective in reducing rates of failure to comply than radio frequency (RF) systems; more specifically, for GPS monitoring there was a 6 percent improvement in the hazard rate for reducing supervision failure compared with RF monitoring.

EM had a greater impact on sex, property, drug, and other types of offenders than on violent offenders, though the effect remained significant for EM supervision of violent offenders compared with other forms (non-EM) of community supervision. There were no significant differences in the effects of EM across different age groups or for the effect of EM for different types of supervision.

Evaluation Methodology

Study 1

Bales and colleagues (2010) used a mixed methods approach to examine the impact of Electronic Monitoring (EM). The treatment sample consisted of more than 5,000 medium- and high-risk offenders who were placed on EM at some point in their community supervision (low-risk offenders were excluded from the sample); a control group comprised more than 266,000 medium- and high-risk offenders not placed on EM over a 6-year period. The majority of the sample of offenders was male and white, with ages ranging from 14 to over 38 years. Current offenses of offenders included sex offenses, robbery, burglary, and other violent offenses.

Data was collected for the period of June 1, 2001, through June 30, 2007 from the Florida Department of Corrections Offender-Based Information System. To address the impossibility of random assignment to treatment or control conditions, propensity score matching was used to develop equivalency in the EM and non–EM groups to avoid selection bias. Cox proportional hazards routines were used to analyze data, and the propensity score was used as an inverse weight.

For the qualitative component, researchers conducted interviews with a convenience sample of 36 probation officers, 20 administrators, and 105 offenders who were invited to participate in the project during their regularly scheduled office visits. Interviews lasted 30 to 45 minutes. The data was collected to make a qualitative assessment of policies, practices, and processes in implementing EM.

Cost

Bales and colleagues (2010) reported that the annual cost to Florida of the radio frequency (RF) system was $719 and the cost of the active GPS equipment and services was $3,263. Per day costs for RF electronic monitoring systems declined by 15.8 percent between 2005 and 2008. Per day costs for GPS systems remained stable from 2005 to 2008, but the 2008 costs included monitoring center services that were unavailable before 2007.

Evidence-Base (Studies Reviewed)

These sources were used in the development of the program profile:

Study 1

Bales, William D., Karen Mann, Thomas G. Blomberg, Gerald G. Gaes, Kelle Barrick, Karla Dhungana, and Brian McManus. 2010. "A Quantitative and Qualitative Assessment of Electronic Monitoring." Tallahassee, Fla.: Florida State University, College of Criminology and Criminal Justice, Center for Criminology and Public Policy Research.
https://www.ncjrs.gov/pdffiles1/nij/grants/230530.pdf

Additional References

These sources were used in the development of the program profile:

Florida Senate Committee on Criminal Justice. 2004. "Global Positioning System (GPS) Technology Use in Monitoring the Activities of Probationers." In *The Florida Senate Interim Project Report 2005–126*. Tallahassee, Fla.
http://archive.flsenate.gov/data/Publications/2005/Senate/reports/interim_reports/pdf/2005-126cj.pdf

(ICAOS) Interstate Commission on Adult Offender Supervision. 2006. *2006 GPS Supervision Update*.
http://www.interstatecompact.org/Tools/SurveyResults.aspx

(NIJ) National Institute of Justice. 2011. "Electronic Monitoring Reduces Recidivism." NIJ In Short: Toward Criminal Justice Solutions. NCJ 234460.
https://www.ncjrs.gov/pdffiles1/nij/234460.pdf

Related Practices

Following are CrimeSolutions.gov-rated practices that are related to this program:

Adult Sex Offender Treatment
A variety of psychological interventions, cognitive–behavioral treatments, and behavioral therapies targeting adult sex

offenders with the overall aim of reducing the risk and potential harm associated with releasing this population back into the community. The practice is rated Promising for reducing rates of general recidivism and sexual recidivism, but rated No Effects on violent recidivism rates.

Evidence Ratings for Outcomes:

Crime & Delinquency - Multiple crime/offense types

Crime & Delinquency - Sex-related offenses

Crime & Delinquency - Violent offenses

Information maintained by the Legislative Reference Bureau
Updating the database of the Illinois Compiled Statutes (ILCS) is an ongoing process. Recent laws may not yet be included in the ILCS database, but they are found on this site as Public Acts soon after they become law. For information concerning the relationship between statutes and Public Acts, refer to the Guide.

Because the statute database is maintained primarily for legislative drafting purposes, statutory changes are sometimes included in the statute database before they take effect. If the source note at the end of a Section of the statutes includes a Public Act that has not yet taken effect, the version of the law that is currently in effect may have already been removed from the database and you should refer to that Public Act to see the changes made to the current law.

CORRECTIONS
(730 ILCS 5/) Unified Code of Corrections.

(730 ILCS 5/Ch. III Art. 3 heading)
ARTICLE 3. PAROLE AND PARDON BOARD

(730 ILCS 5/3-3-1) (from Ch. 38, par. 1003-3-1)
Sec. 3-3-1. Establishment and appointment of Prisoner Review Board.
(a) There shall be a Prisoner Review Board independent of the Department which shall be:
(1) the paroling authority for persons sentenced under the law in effect prior to the effective date of this amendatory Act of 1977;
(1.5) (blank);
(2) the board of review for cases involving the revocation of sentence credits or a suspension or reduction in the rate of accumulating the credit;
(3) the board of review and recommendation for the exercise of executive clemency by the Governor;
(4) the authority for establishing release dates for certain prisoners sentenced under the law in existence prior to the effective date of this amendatory Act of 1977, in accordance with Section 3-3-2.1 of this Code;
(5) the authority for setting conditions for parole and mandatory supervised release under Section 5-8-1(a) of this Code, and determining whether a violation of those conditions warrant revocation of parole or mandatory supervised release or the imposition of other sanctions; and
(6) the authority for determining whether a violation of aftercare release conditions warrant revocation of aftercare release.
(b) The Board shall consist of 15 persons appointed by the Governor by and with the advice and consent of the Senate. One member of the Board shall be designated by the Governor to be Chairman and shall serve as Chairman at the pleasure of the Governor. The members of the Board shall have had at least 5 years of actual experience in the fields of penology, corrections work, law enforcement, sociology, law, education, social work, medicine, psychology, other behavioral sciences,

or a combination thereof. At least 6 members so appointed must have had at least 3 years experience in the field of juvenile matters. No more than 8 Board members may be members of the same political party.

Each member of the Board shall serve on a full-time basis and shall not hold any other salaried public office, whether elective or appointive, nor any other office or position of profit, nor engage in any other business, employment, or vocation. The Chairman of the Board shall receive $35,000 a year, or an amount set by the Compensation Review Board, whichever is greater, and each other member $30,000, or an amount set by the Compensation Review Board, whichever is greater.

(c) Notwithstanding any other provision of this Section, the term of each member of the Board who was appointed by the Governor and is in office on June 30, 2003 shall terminate at the close of business on that date or when all of the successor members to be appointed pursuant to this amendatory Act of the 93rd General Assembly have been appointed by the Governor, whichever occurs later. As soon as possible, the Governor shall appoint persons to fill the vacancies created by this amendatory Act.

Of the initial members appointed under this amendatory Act of the 93rd General Assembly, the Governor shall appoint 5 members whose terms shall expire on the third Monday in January 2005, 5 members whose terms shall expire on the third Monday in January 2007, and 5 members whose terms shall expire on the third Monday in January 2009. Their respective successors shall be appointed for terms of 6 years from the third Monday in January of the year of appointment. Each member shall serve until his or her successor is appointed and qualified.

Any member may be removed by the Governor for incompetence, neglect of duty, malfeasance or inability to serve.

(d) The Chairman of the Board shall be its chief executive and administrative officer. The Board may have an Executive Director; if so, the Executive Director shall be appointed by the Governor with the advice and consent of the Senate. The salary and duties of the Executive Director shall be fixed by the Board.

(Source: P.A. 98-558, eff. 1-1-14; 99-628, eff. 1-1-17.)

(730 ILCS 5/3-3-2) (from Ch. 38, par. 1003-3-2)

Sec. 3-3-2. Powers and duties.

(a) The Parole and Pardon Board is abolished and the term "Parole and Pardon Board" as used in any law of Illinois, shall read "Prisoner Review Board." After the effective date of this amendatory Act of 1977, the Prisoner Review Board shall provide by rule for the orderly transition of all files, records, and documents of the Parole and Pardon Board and for such other steps as may be necessary to effect an orderly transition and shall:

(1) hear by at least one member and through a panel of at least 3 members decide, cases of prisoners who were sentenced under the law in effect prior to the effective date of this amendatory Act of 1977, and who are eligible for parole;

(2) hear by at least one member and through a panel of at least 3 members decide, the conditions of parole and the time of discharge from parole, impose sanctions for violations of parole, and revoke parole for those sentenced under the law in effect prior to this amendatory Act of 1977; provided that the decision to parole and the conditions of parole for all prisoners who were sentenced for first degree murder or who received a minimum sentence

of 20 years or more under the law in effect prior to February 1, 1978 shall be determined by a majority vote of the Prisoner Review Board. One representative supporting parole and one representative opposing parole will be allowed to speak. Their comments shall be limited to making corrections and filling in omissions to the Board's presentation and discussion;

(3) hear by at least one member and through a panel of at least 3 members decide, the conditions of mandatory supervised release and the time of discharge from mandatory supervised release, impose sanctions for violations of mandatory supervised release, and revoke mandatory supervised release for those sentenced under the law in effect after the effective date of this amendatory Act of 1977;

(3.5) hear by at least one member and through a panel of at least 3 members decide, the conditions of mandatory supervised release and the time of discharge from mandatory supervised release, to impose sanctions for violations of mandatory supervised release and revoke mandatory supervised release for those serving extended supervised release terms pursuant to paragraph (4) of subsection (d) of Section 5-8-1;

(3.6) hear by at least one member and through a panel of at least 3 members decide whether to revoke aftercare release for those committed to the Department of Juvenile Justice under the Juvenile Court Act of 1987;

(4) hear by at least one member and through a panel of at least 3 members, decide cases brought by the Department of Corrections against a prisoner in the custody of the Department for alleged violation of Department rules with respect to sentence credits under Section 3-6-3 of this Code in which the Department seeks to revoke sentence credits, if the amount of time at issue exceeds 30 days or when, during any 12 month period, the cumulative amount of credit revoked exceeds 30 days except where the infraction is committed or discovered within 60 days of scheduled release. In such cases, the Department of Corrections may revoke up to 30 days of sentence credit. The Board may subsequently approve the revocation of additional sentence credit, if the Department seeks to revoke sentence credit in excess of thirty days. However, the Board shall not be empowered to review the Department's decision with respect to the loss of 30 days of sentence credit for any prisoner or to increase any penalty beyond the length requested by the Department;

(5) hear by at least one member and through a panel of at least 3 members decide, the release dates for certain prisoners sentenced under the law in existence prior to the effective date of this amendatory Act of 1977, in accordance with Section 3-3-2.1 of this Code;

(6) hear by at least one member and through a panel of at least 3 members decide, all requests for pardon, reprieve or commutation, and make confidential recommendations to the Governor;

(7) comply with the requirements of the Open Parole Hearings Act;

(8) hear by at least one member and, through a panel of at least 3 members, decide cases brought bythe Department of Corrections against a prisoner in the custody of the Department for court dismissal of a frivolous lawsuit pursuant to Section 3-6-3(d) of this Code in which the Department seeks to revoke up to 180 days of sentence credit, and if the prisoner has not accumulated 180 days of sentence credit at the time of the dismissal, then all sentence credit accumulated by the prisoner shall be revoked;

(9) hear by at least 3 members, and, through a panel of at least 3 members, decide whether to grant certificates of relief from disabilities or certificates of good conduct as provided in Article 5.5 of Chapter V;

(10) upon a petition by a person who has been convicted of a Class 3 or Class 4 felony and who meets the requirements of this paragraph, hear by at least 3 members and, with the unanimous vote of a panel of 3 members, issue a certificate of eligibility for sealing recommending that the court order the sealing of all official records of the arresting authority, the circuit court clerk, and the Department of State Police concerning the arrest and conviction for the Class 3 or 4 felony. A person may not apply to the Board for a certificate of eligibility for sealing:

(A) until 5 years have elapsed since the expiration of his or her sentence;

(B) until 5 years have elapsed since any arrests or detentions by a law enforcement officer for an alleged violation of law, other than a petty offense, traffic offense, conservation offense, or local ordinance offense;

(C) if convicted of a violation of the Cannabis Control Act, Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, the Methamphetamine Precursor Control Act, or the Methamphetamine Precursor Tracking Act unless the petitioner has completed a drug abuse program for the offense on which sealing is sought and provides proof that he or she has completed the program successfully;

(D) if convicted of:

(i) a sex offense described in Article 11 or Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012;

(ii) aggravated assault;

(iii) aggravated battery;

(iv) domestic battery;

(v) aggravated domestic battery;

(vi) violation of an order of protection;

(vii) an offense under the Criminal Code of 1961 or the Criminal Code of 2012 involving a firearm;

(viii) driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof;

(ix) aggravated driving while under the influence of alcohol, other drug or drugs, intoxicatingcompound or compounds orany combination thereof; or

(x) any crime defined as a crime of violence under Section 2 of the Crime Victims Compensation Act.

If a person has applied to the Board for a certificate of eligibility for sealing and the Board denies the certificate, the person must wait at least 4 years before filing again or filing for pardon from the Governor unless the Chairman of the Prisoner Review Board grants a waiver.

The decision to issue or refrain from issuing a certificate of eligibility for sealing shall be at the Board's sole discretion, and shall not give rise to any cause of action against either the Board or its members.

The Board may only authorize the sealing of Class 3 and 4 felony convictions of the petitioner from one information or indictment under this paragraph (10). A

petitioner may only receive one certificate of eligibility for sealing under this provision for life; and

(11) upon a petition by a person who after having been convicted of a Class 3 or Class 4 felony thereafter served in the United States Armed Forces or National Guard of this or any other state and had received an honorable discharge from the United States Armed Forces or National Guard or who at the time of filing the petition is enlisted in the United States Armed Forces or National Guard of this or any other state and served one tour of duty and who meets the requirements of this paragraph, hear by at least 3 members and, with the unanimous vote of a panel of 3 members, issue a certificate of eligibility for expungement recommending that the court order the expungement of all official records of the arresting authority, the circuit court clerk, and the Department of State Police concerning the arrest and conviction for the Class 3 or 4 felony. A person may not apply to the Board for a certificate of eligibility for expungement:

(A) if convicted of:

(i) a sex offense described in Article 11 or Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or Criminal Code of 2012;

(ii) an offense under the Criminal Code of 1961 or Criminal Code of 2012 involving a firearm; or

(iii) a crime of violence as defined in Section 2 of the Crime Victims Compensation Act; or

(B) if the person has not served in the United States Armed Forces or National Guard of this or any other state or has not received an honorable discharge from the United States Armed Forces or National Guard of this or any other state or who at the time of the filing of the petition is serving in the United States Armed Forces or National Guard of this or any other state and has not completed one tour of duty.

If a person has applied to the Board for a certificate of eligibility for expungement and the Board denies the certificate, the person must wait at least 4 years before filing again or filing for a pardon with authorization for expungement from the Governor unless the Governor or Chairman of the Prisoner Review Board grants a waiver.

(a-5) The Prisoner Review Board, with the cooperation of and in coordination with the Department of Corrections and the Department of Central Management Services, shall implement a pilot project in 3 correctional institutions providing for the conduct of hearings under paragraphs (1) and (4) of subsection (a) of this Section through interactive video conferences. The project shall be implemented within 6 months after the effective date of this amendatory Act of 1996. Within 6 months after the implementation of the pilot project, the Prisoner Review Board, with the cooperation of and in coordination with the Department of Corrections and the Department of Central Management Services, shall report to the Governor and the General Assembly regarding the use, costs, effectiveness, and future viability of interactive video conferences for Prisoner Review Board hearings.

(b) Upon recommendation of the Department the Board may restore sentence credit previously revoked.

(c) The Board shall cooperate with the Department in promoting an effective system of parole and mandatory supervised release.

(d) The Board shall promulgate rules for the conduct of its work, and the Chairman shall file a copy of such rules and

any amendments thereto with the Director and with the Secretary of State.

(e) The Board shall keep records of all of its official actions and shall make them accessible in accordance with law and the rules of the Board.

(f) The Board or one who has allegedly violated the conditions of his or her parole, aftercare release, or mandatory supervised release may require by subpoena the attendance and testimony of witnesses and the production of documentary evidence relating to any matter under investigation or hearing. The Chairman of the Board may sign subpoenas which shall be served by any agent or public official authorized by the Chairman of the Board, or by any person lawfully authorized to serve a subpoena under the laws of the State of Illinois. The attendance of witnesses, and the production of documentary evidence, may be required from any place in the State to a hearing location in the State before the Chairman of the Board or his or her designated agent or agents or any duly constituted Committee or Subcommittee of the Board. Witnesses so summoned shall be paid the same fees and mileage that are paid witnesses in the circuit courts of the State, and witnesses whose depositions are taken and the persons taking those depositions are each entitled to the same fees as are paid for like services in actions in the circuit courts of the State. Fees and mileage shall be vouchered for payment when the witness is discharged from further attendance.

In case of disobedience to a subpoena, the Board may petition any circuit court of the State for an order requiring the attendance and testimony of witnesses or the production of documentary evidence or both. A copy of such petition shall be served by personal service or by registered or certified mail upon the person who has failed to obey the subpoena, and such person shall be advised in writing that a hearing upon the petition will be requested in a court room to be designated in such notice before the judge hearing motions or extraordinary remedies at a specified time, on a specified date, not less than 10 nor more than 15 days after the deposit of the copy of the written notice and petition in the U.S. mails addressed to the person at his last known address or after the personal service of the copy of the notice and petition upon such person. The court upon the filing of such a petition, may order the person refusing to obey the subpoena to appear at an investigation or hearing, or to there produce documentary evidence, if so ordered, or to give evidence relative to the subject matter of that investigation or hearing. Any failure to obey such order of the circuit court may be punished by that court as a contempt of court.

Each member of the Board and any hearing officer designated by the Board shall have the power to administer oaths and to take the testimony of persons under oath.

(g) Except under subsection (a) of this Section, a majority of the members then appointed to the Prisoner Review Board shall constitute a quorum for the transaction of all business of the Board.

(h) The Prisoner Review Board shall annually transmit to the Director a detailed report of its work for the preceding calendar year. The annual report shall also be transmitted to the Governor for submission to the Legislature.
(Source: P.A. 98-399, eff. 8-16-13; 98-558, eff. 1-1-14; 98-756, eff. 7-16-14; 99-628, eff. 1-1-17.)

(730 ILCS 5/3-3-2.1) (from Ch. 38, par. 1003-3-2.1)

Sec. 3-3-2.1. Prisoner Review Board - Release Date.

(a) Except as provided in subsection (b), the Prisoner Review Board shall, no later than 7 days following a

prisoner's next parole hearing after the effective date of this Amendatory Act of 1977, provide each prisoner sentenced under the law in effect prior to the effective date of this amendatory Act of 1977, with a fixed release date.

(b) No release date under this Section shall be set for any person sentenced to an indeterminate sentence under the law in effect prior to the effective date of this amendatory Act of 1977 in which the minimum term of such sentence is 20 years or more.

(c) The Prisoner Review Board shall notify each eligible offender of his or her release date in a form substantially as follows:

Date of Notice

"To (Name of offender):

Under a recent change in the law you are provided with this choice:

(1) You may remain under your present indeterminate sentence and continue to be eligible for parole; or (2) you may waive your right to parole and accept the release date which has been set for you. From this release date will be deducted any good conduct credit you may earn.

If you accept the release date established by the Board, you will no longer be eligible for parole.

Your release date from prison has been set for: (release date) ..... , subject to a term of mandatory supervised release as provided by law.

If you accumulate the maximum amount of good conduct credit as allowed by law recently enacted, you can be released on: ..... , subject to a term of mandatory supervised release as provided by law.

Should you choose not to accept the release date, your next parole hearing will be: ..... .

The Board has based its determination of your release date on the following:

(1) The material that normally would be examined in connection with your parole hearing, as set forth in paragraph (d) of Section 3-3-4 of the Unified Code of Corrections:

(2) the intent of the court in imposing sentence on you;

(3) the present schedule of sentences for similar offenses provided by Articles 4.5 and 5 of Chapter V of the Unified Code of Corrections, as amended;

(4) the factors in mitigation and aggravation provided by Sections 5-5-3.1 and 5-5-3.2 of the Unified Code of Corrections, as amended;

(5) The rate of accumulating good conduct credits provided by Section 3-6-3 of the Unified Code of Corrections, as amended;

(6) your behavior since commitment.

You now have 60 days in which to decide whether to remain under your indeterminate sentence and continue to be eligible for parole or waive your right to parole and accept the release date established for you by the Board. If you do nothing within 60 days, you will remain under the parole system.

If you accept the release date, you may accumulate good conduct credit at the maximum rate provided under the law recently enacted.

If you feel that the release date set for you is unfair or is not based on complete information required to be considered by the Board, you may request that the Board reconsider the date. In your request you must set forth specific reasons why you feel the Board's release date is unfair and you may submit relevant material in support of your request.

The Department of Corrections is obligated to assist you in that effort, if you ask it to do so.

The Board will notify you within 60 days whether or not it will reconsider its decision. The Board's decision with respect to reconsidering your release date is final and cannot be appealed to any court.

If the Board decides not to reconsider your case you will have 60 days in which to decide whether to accept the release date and waive your right to parole or to continue under the parole system. If you do nothing within 60 days after you receive notification of the Board's decision you will remain under the parole system.

If the Board decides to reconsider its decision with respect to your release date, the Board will schedule a date for reconsideration as soon as practicable, but no later than 60 days from the date it receives your request, and give you at least 30 days notice. You may submit material to the Board which you believe will be helpful in deciding a proper date for your release. The Department of Corrections is obligated to assist you in that effort, if you ask it to do so.

Neither you nor your lawyer has the right to be present on the date of reconsideration, nor the right to call witnesses. However, the Board may ask you or your lawyer to appear or may ask to hear witnesses. The Board will base its determination on the same data on which it made its earlier determination, plus any new information which may be available to it.

When the Board has made its decision you will be informed of the release date. In no event will it be longer than the release date originally determined. From this date you may continue to accumulate good conduct credits at the maximum rate. You will not be able to appeal the Board's decision to a court.

Following the Board's reconsideration and upon being notified of your release date you will have 60 days in which to decide whether to accept the release date and waive your right to parole or to continue under the parole system. If you do nothing within 60 days after notification of the Board's decision you will remain under the parole system."

(d) The Board shall provide each eligible offender with a form substantially as follows:

"I (name of offender) am fully aware of my right to choose between parole eligibility and a fixed release date. I know that if I accept the release date established, I will give up my right to seek parole. I have read and understood the Prisoner Review Board's letter, and I know how and under what circumstances the Board has set my release date. I know that I will be released on that date and will be released earlier if I accumulate good conduct credit. I know that the date set by the Board is final, and can't be appealed to a court.

Fully aware of all the implications, I expressly and knowingly waive my right to seek parole and accept the release date as established by the Prisoner Review Board."

(e) The Board shall use the following information and standards in establishing a release date for each eligible offender who requests that a date be set:

(1) Such information as would be considered in a parole hearing under Section 3-3-4 of this Code;

(2) The intent of the court in imposing the offender's sentence;

(3) The present schedule for similar offenses provided by Articles 4.5 and 5 of Chapter V of this Code;

(4) Factors in aggravation and mitigation of sentence as provided in Sections 5-5-3.1 and 5-5-3.2 of this Code;

(5) The rate of accumulating good conduct credits provided by Section 3-6-3 of this Code;

(6) The offender's behavior since commitment to the Department.

(f) After the release date is set by the Board, the offender can accumulate good conduct credits in accordance

with Section 3-6-3 of this Code.

(g) The release date established by the Board shall not be sooner than the earliest date that the offender would have been eligible for release under the sentence imposed on him by the court, less time credit previously earned for good behavior, nor shall it be later than the latest date at which the offender would have been eligible for release under such sentence, less time credit previously earned for good behavior.

(h) (1) Except as provided in subsection (b), each prisoner appearing at his next parole hearing subsequent to the effective date of the amendatory Act of 1977, shall be notified within 7 days of the hearing that he will either be released on parole or that a release date has been set by the Board. The notice and waiver form provided for in subsections (c) and (d) shall be presented to eligible prisoners no later than 7 days following their parole hearing. A written statement of the basis for the decision with regard to the release date set shall be given to such prisoners no later than 14 days following the parole hearing.

(2) Each prisoner upon notification of his release date shall have 60 days to choose whether to remain under the parole system or to accept the release date established by the Board. No release date shall be effective unless the prisoner waives his right to parole in writing. If no choice is made by such prisoner within 60 days from the date of his notification of a release date, such prisoner shall remain under the parole system.

(3) Within the 60 day period as provided in paragraph (2) of this subsection, a prisoner may request that the Board reconsider its decision with regard to such prisoner's release date. No later than 60 days following receipt of such request for reconsideration, the Board shall notify the prisoner as to whether or not it will reconsider such prisoner's release date. No court shall have jurisdiction to review the Board's decision. No prisoner shall be entitled to more than one request for reconsideration of his release date.

(A) If the Board decides not to reconsider the release date, the prisoner shall have 60 days to choose whether to remain under the parole system or to accept the release date established by the Board. No release date shall be effective unless the prisoner waives his right to parole in writing. If no choice is made by such prisoner within 60 days from the date of the notification by the Board refusing to reconsider his release date, such prisoner shall remain under the parole system.

(B) If the Board decides to reconsider its decision with respect to such release date, the Board shall schedule a date for reconsiderationas soon as practicable, but no later than 60 days from the date of the prisoner's request, and give such prisoner at least 30 days notice. Such prisoner may submit any relevant material to the Board which would aid in ascertaining a proper release date. The Department of Corrections shall assist any such prisoner if asked to do so.

Neither the prisoner nor his lawyer has the right to be present on the date of reconsideration, nor the right to call witnesses. However, the Board may ask such prisoner or his or her lawyer to appear or may ask to hear witnesses. The Board shall base its determination on the factors specified in subsection (e), plus any new information which may be available to it.

(C) When the Board has made its decision, the prisoner shall be informed of the release date as provided for in subsection (c) no later than 7 days following the reconsideration. In no event shall such release date be longer than the release date originally determined. The

decision of the Board is final. No court shall have jurisdiction to review the Board's decision.

Following the Board's reconsideration and its notification to the prisoner of his or her release date, such prisoner shall have 60 days from the date of such notice in which to decide whether to accept the release date and waive his or her right to parole or to continue under the parole system. If such prisoner does nothing within 60 days after notification of the Board's decision, he or she shall remain under the parole system.

(Source: P.A. 95-1052, eff. 7-1-09; 96-1000, eff. 7-2-10.)

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

Sec. 3-3-3. Eligibility for parole or release.

(a) Except for those offenders who accept the fixed release date established by the Prisoner Review Board under Section 3-3-2.1, every person serving a term of imprisonment under the law in effect prior to the effective date of this amendatory Act of 1977 shall be eligible for parole when he or she has served:

(1) the minimum term of an indeterminate sentence less time credit for good behavior, or 20 years less time credit for good behavior, whichever is less; or

(2) 20 years of a life sentence less time credit for good behavior; or

(3) 20 years or one-third of a determinate sentence, whichever is less, less time credit for good behavior.

(b) No person sentenced under this amendatory Act of 1977 or who accepts a release date under Section 3-3-2.1 shall be eligible for parole.

(c) Except for those sentenced to a term of natural life imprisonment, every person sentenced to imprisonment under this amendatory Act of 1977 or given a release date under Section 3-3-2.1 of this Act shall serve the full term of a determinate sentence less time credit for good behavior and shall then be released under the mandatory supervised release provisions of paragraph (d) of Section 5-8-1 of this Code.

(d) No person serving a term of natural life imprisonment may be paroled or released except through executive clemency.

(e) Every person committed to the Department of Juvenile Justice under the Juvenile Court Act of 1987 and confined in the State correctional institutions or facilities if such juvenile has not been tried as an adult shall be eligible for aftercare release under Section 3-2.5-85 of this Code. However, if a juvenile has been tried as an adult he or she shall only be eligible for parole or mandatory supervised release as an adult under this Section.

(Source: P.A. 98-558, eff. 1-1-14; 99-628, eff. 1-1-17.)

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

Sec. 3-3-4. Preparation for parole hearing.

(a) The Prisoner Review Board shall consider the parole of each eligible person committed to the Department of Corrections at least 30 days prior to the date he or she shall first become eligible for parole.

(b) A person eligible for parole shall, no less than 15 days in advance of his or her parole interview, prepare a parole plan in accordance with the rules of the Prisoner Review Board. The person shall be assisted in preparing his or her parole plan by personnel of the Department of Corrections, and may, for this purpose, be released on furlough under Article 11. The Department shall also provide assistance in obtaining information and records helpful to the individual for his or her parole hearing. If the person eligible for parole has a petition or any written submissions prepared on his or her behalf by an attorney or other representative, the

attorney or representative for the person eligible for parole must serve by certified mail the State's Attorney of the county where he or she was prosecuted with the petition or any written submissions 15 days after his or her parole interview. The State's Attorney shall provide the attorney for the person eligible for parole with a copy of his or her letter in opposition to parole via certified mail within 5 business days of the en banc hearing.

(c) Any member of the Board shall have access at all reasonable times to any committed person and to his or her master record file within the Department, and the Department shall furnish such a report to the Board concerning the conduct and character of any such person prior to his or her parole interview.

(d) In making its determination of parole, the Board shall consider:

(1) (blank);

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

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

(4) a parole progress report;

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

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

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

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

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

(f) The victim of the violent crime for which the prisoner has been sentenced shall receive notice of a parole hearing as provided in paragraph (4) of subsection (d) of Section 4.5 of the Rights of Crime Victims and Witnesses Act.

(g) Any recording considered under the provisions of subsection (d)(6), (d)(7) or (e) of this Section shall be in the form designated by the Board. Such recording shall be both visual and aural. Every voice on the recording and person present shall be identified and the recording shall contain either a visual or aural statement of the person submitting

such recording, the date of the recording and the name of the person whose parole eligibility is being considered. Such recordings shall be retained by the Board and shall be deemed to be submitted at any subsequent parole hearing if the victim or State's Attorney submits in writing a declaration clearly identifying such recording as representing the present position of the victim or State's Attorney regarding the issues to be considered at the parole hearing.

(h) The Boardshall not release any material to the inmate, the inmate's attorney, any third party, or any other person containing any information from the victim or from a person related to the victim by blood, adoption, or marriage who has written objections, testified at any hearing, or submitted audio or visual objections to the inmate's parole, unless provided with a waiver from that objecting party. The Board shall not release the names or addresses of any person on its victim registry to any other person except the victim, a law enforcement agency, or other victim notification system. (Source: P.A. 98-463, eff. 8-16-13; 98-558, eff. 1-1-14; 98-717, eff. 1-1-15; 99-628, eff. 1-1-17.)

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

Sec. 3-3-5. Hearing and determination.

(a) The Prisoner Review Board shall meet as often as need requires to consider the cases of persons eligible for parole. Except as otherwise provided in paragraph (2) of subsection (a) of Section 3-3-2 of this Act, the Prisoner Review Board may meet and order its actions in panels of 3 or more members. The action of a majority of the panel shall be the action of the Board.

(b) If the person under consideration for parole is in the custody of the Department, at least one member of the Board shall interview him or her, and a report of that interview shall be available for the Board's consideration. However, in the discretion of the Board, the interview need not be conducted if a psychiatric examination determines that the person could not meaningfully contribute to the Board's consideration. The Board may in its discretion parole a person who is then outside the jurisdiction on his or her record without an interview. The Board need not hold a hearing or interview a person who is paroled under paragraphs (d) or (e) of this Section or released on Mandatory release under Section 3-3-10.

(c) The Board shall not parole a person eligible for parole if it determines that:

(1) there is a substantial risk that he or she will not conform to reasonable conditions of parole or aftercare release; or

(2) his or her release at that time would deprecate the seriousness of his or her offense or promote disrespect for the law; or

(3) his or her release would have a substantially adverse effect on institutional discipline.

(d) (Blank).

(e) A person who has served the maximum term of imprisonment imposed at the time of sentencing less time credit for good behavior shall be released on parole to serve a period of parole under Section 5-8-1.

(f) The Board shall render its decision within a reasonable time after hearing and shall state the basis therefor both in the records of the Board and in written notice to the person on whose application it has acted. In its decision, the Board shall set the person's time for parole, or if it denies parole it shall provide for a rehearing not less frequently than once every year, except that the Board may, after denying parole, schedule a rehearing no later than 5

years from the date of the parole denial, if the Board finds that it is not reasonable to expect that parole would be granted at a hearing prior to the scheduled rehearing date. If the Board shall parole a person, and, if he or she is not released within 90 days from the effective date of the order granting parole, the matter shall be returned to the Board for review.

(f-1) If the Board paroles a person who is eligible for commitment as a sexually violent person, the effective date of the Board's order shall be stayed for 90 days for the purpose of evaluation and proceedings under the Sexually Violent Persons Commitment Act.

(g) The Board shall maintain a registry of decisions in which parole has been granted, which shall include the name and case number of the prisoner, the highest charge for which the prisoner was sentenced, the length of sentence imposed, the date of the sentence, the date of the parole, and the basis for the decision of the Board to grant parole and the vote of the Board on any such decisions. The registry shall be made available for public inspection and copying during business hours and shall be a public record pursuant to the provisions of the Freedom of Information Act.

(h) The Board shall promulgate rules regarding the exercise of its discretion under this Section.

(Source: P.A. 98-558, eff. 1-1-14; 99-268, eff. 1-1-16; 99-628, eff. 1-1-17.)

(730 ILCS 5/3-3-6) (from Ch. 38, par. 1003-3-6)

Sec. 3-3-6. Parole or release to warrant or detainer. (a) If a warrant or detainer is placed against a person by the court, parole agency, or other authority of this or any other jurisdiction, the Prisoner Review Board shall inquire before such person becomes eligible for parole or release whether the authority concerned intends to execute or withdraw the process if the person is released on parole or otherwise.

(b) If the authority notifies the Board that it intends to execute such process when the person is released, the Board shall advise the authority concerned of the sentence or disposition under which the person is held, the time of eligibility for parole or release, any decision of the Board relating to the person and the nature of his or her adjustment during confinement, and shall give reasonable notice to such authority of the person's release date.

(c) The Board may parole or release a person to a warrant or detainer. The Board may provide, as a condition of parole or release, that if the charge or charges on which the warrant or detainer is based are dismissed or satisfied, prior to the expiration of his or her parole term, the authority to whose warrant or detainer he or she was released shall return him to serve the remainder of his or her parole term or such part thereof as the Board may determine subject to paragraph (d) of Section 5-8-1.

(d) If a person paroled to a warrant or detainer is thereafter sentenced to probation, or released on parole in another jurisdiction prior to the expiration of his or her parole or mandatory supervised release term in this State, the Board may permit him or her to serve the remainder of his or her term, or such part thereof as the Board may determine, in either of the jurisdictions.

(Source: P.A. 83-346.)

(730 ILCS 5/3-3-7) (from Ch. 38, par. 1003-3-7)

Sec. 3-3-7. Conditions of parole or mandatory supervised release.

(a) The conditions of parole or mandatory supervised release shall be such as the Prisoner Review Board deems

necessary to assist the subject in leading a law-abiding life. The conditions of every parole and mandatory supervised release are that the subject:

(1) not violate any criminal statute of any jurisdiction during the parole or release term;

(2) refrain from possessing a firearm or other dangerous weapon;

(3) report to an agent of the Department of Corrections;

(4) permit the agent to visit him or her at his or her home, employment, or elsewhere to the extent necessary for the agent to discharge his or her duties;

(5) attend or reside in a facility established for the instruction or residence of persons on parole or mandatory supervised release;

(6) secure permission before visiting or writing a committed person in an Illinois Department of Corrections facility;

(7) report all arrests to an agent of the Department of Corrections as soon as permitted by the arresting authority but in no event later than 24 hours after release from custody and immediately report service or notification of an order of protection, a civil no contact order, or a stalking no contact order to an agent of the Department of Corrections;

(7.5) if convicted of a sex offense as defined in the Sex Offender Management Board Act, the individual shall undergo and successfully complete sex offender treatment conducted in conformance with the standards developed by the Sex Offender Management Board Act by a treatment provider approved by the Board;

(7.6) if convicted of a sex offense as defined in the Sex Offender Management Board Act, refrain from residing at the same address or in the same condominium unit or apartment unit orin the same condominium complex or apartment complex with another person he or she knows or reasonably should know is a convicted sex offender or has been placed on supervisionfor a sex offense; the provisions of this paragraph do not apply to a person convicted of a sex offense who is placed in a Department of Corrections licensed transitional housing facility for sex offenders, or is in any facility operated or licensed by the Department of Children and Family Services or by the Department of Human Services, or is in any licensed medical facility;

(7.7) if convicted for an offense that would qualify the accused as a sexual predator under the Sex Offender Registration Act on or after January 1, 2007 (the effective date of Public Act 94-988), wear an approved electronic monitoring device as defined in Section 5-8A-2 for the duration of the person's parole, mandatory supervised release term, or extended mandatory supervised release term and if convicted for an offense of criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse,aggravated criminal sexual abuse, or ritualized abuse of a child committed on or after August 11, 2009 (the effective date of Public Act 96-236) when the victim was under 18 years of age at the time of the commission of the offense and the defendant used force or the threat of force in the commission of the offense wear an approved electronic monitoring device as defined in Section 5-8A-2 that has Global Positioning System (GPS) capability for the duration of the person's parole, mandatory supervised release term, or extended mandatory supervised release term;

(7.8) if convicted for an offense committed on or

after June 1, 2008 (the effective date of Public Act 95-464) that would qualify the accused as a child sex offender as defined in Section 11-9.3 or 11-9.4 of the Criminal Code of 1961 or the Criminal Code of 2012, refrain from communicating with or contacting, by means of the Internet, a person who is not related to the accused and whom the accused reasonably believes to be under 18 years of age; for purposes of this paragraph (7.8), "Internet" has the meaning ascribed to it in Section 16-0.1 of the Criminal Code of 2012; and a person is not related to the accused if the person is not: (i) the spouse, brother, or sister of the accused; (ii) a descendant of the accused; (iii) a first or second cousin of the accused; or (iv) a step-child or adopted child of the accused;

(7.9) if convicted under Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012, consent to search of computers, PDAs, cellular phones, and other devices under his or her control that are capable of accessing the Internet or storing electronic files, in order to confirm Internet protocol addresses reported in accordance with the Sex Offender Registration Act and compliance with conditions in this Act;

(7.10) if convicted for an offense that would qualify the accused as a sex offender or sexual predator under the Sex Offender Registration Act on or after June 1, 2008 (the effective date of Public Act 95-640), not possess prescription drugs for erectile dysfunction;

(7.11) if convicted for an offense under Section 11-6, 11-9.1, 11-14.4 that involves soliciting for a juvenile prostitute, 11-15.1, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012, or any attempt to commit any of these offenses, committed on or after June 1, 2009 (the effective date of Public Act 95-983):

(i) not access or use a computer or any other device with Internet capability without the prior written approval of the Department;

(ii) submit to periodic unannounced examinations of the offender's computer or any other device with Internet capability by the offender's supervising agent, a law enforcement officer, or assigned computer or information technology specialist, including the retrieval and copying of all data from the computer or device and any internal or external peripherals and removal of such information, equipment, or device to conduct a more thorough inspection;

(iii) submit to the installation on the offender's computer or device with Internet capability, at the offender's expense, of one or more hardware or software systems to monitor the Internet use; and

(iv) submit to any other appropriate restrictions concerning the offender's use of or access to a computer or any other device with Internet capability imposed by the Board, the Department or the offender's supervising agent;

(7.12) if convicted of a sex offense as defined in the Sex Offender Registration Act committed on or after January 1, 2010 (the effective date of Public Act 96-262), refrain from accessing or using a social networking website as defined in Section 17-0.5 of the Criminal Code of 2012;

(7.13) if convicted of a sex offense as defined in Section 2 of the Sex Offender Registration Act committed on or after January 1, 2010 (the effective date of Public

Act 96-362) that requires the person to register as a sex offender under that Act, may not knowingly use any computer scrub software on any computer that the sex offender uses;

(8) obtain permission of an agent of the Department of Corrections before leaving the State of Illinois;

(9) obtain permission of an agent of the Department of Corrections before changing his or her residence or employment;

(10) consent to a search of his or her person, property, or residence under his or her control;

(11) refrain from the use or possession of narcotics or other controlled substances in any form, or both, or any paraphernalia related to those substances and submit to a urinalysis test as instructed by a parole agent of the Department of Corrections;

(12) not frequent places where controlled substances are illegally sold, used, distributed, or administered;

(13) not knowingly associate with other persons on parole or mandatory supervised release without prior written permission of his or her parole agent, except when the association involves activities related to community programs, worship services, volunteering, and engaging families, and not associate with persons who are members of an organized gang as that term is defined in the Illinois Streetgang Terrorism Omnibus Prevention Act;

(14) provide true and accurate information, as it relates to his or her adjustment in the community while on parole or mandatory supervised release or to his or her conduct while incarcerated, in response to inquiries by his or her parole agent or of the Department of Corrections;

(15) follow any specific instructions provided by the parole agent that are consistent with furthering conditions set and approved by the Prisoner Review Board or by law, exclusive of placement on electronic detention, to achieve the goals and objectives of his or her parole or mandatory supervised release or to protect the public. These instructions by the parole agent may be modified at any time, as the agent deems appropriate;

(16) if convicted of a sex offense as defined in subsection (a-5) of Section 3-1-2 of this Code, unless the offender is a parent or guardian of the person under 18 years of age present in the home and no non-familial minors are present, not participate in a holiday event involving children under 18 years of age, such as distributing candy or other items to children on Halloween, wearing a Santa Claus costume on or preceding Christmas, being employed as a department store Santa Claus, or wearing an Easter Bunny costume on or preceding Easter;

(17) if convicted of a violation of an order of protection under Section 12-3.4 or Section 12-30 of the Criminal Code of 1961 or the Criminal Code of 2012, be placed under electronic surveillance as provided in Section 5-8A-7 of this Code;

(18) comply with the terms and conditions of an order of protection issued pursuant to the Illinois Domestic Violence Act of 1986; an order of protection issued by the court of another state, tribe, or United States territory; a no contact order issued pursuant to the Civil No Contact Order Act; or a no contact order issued pursuant to the Stalking No Contact Order Act;

(19) if convicted of a violation of the Methamphetamine Control and Community Protection Act, the Methamphetamine Precursor Control Act, or a methamphetamine related offense, be:

(A) prohibited from purchasing, possessing, or having under his or her control any product containing pseudoephedrine unless prescribed by a physician; and

(B) prohibited from purchasing, possessing, or having under his or her control any product containing ammonium nitrate;

(20) if convicted of a hate crime under Section 12-7.1 of the Criminal Code of 2012, perform public or community service of no less than 200 hours and enroll in an educational program discouraging hate crimes involving the protected class identified in subsection (a) of Section 12-7.1 of the Criminal Code of 2012 that gave rise to the offense the offender committed ordered by the court; and

(21) be evaluated by the Department of Corrections prior to release using a validated risk assessment and be subject to a corresponding level of supervision. In accordance with the findings of that evaluation:

(A) All subjects found to be at a moderate or high risk to recidivate, or on parole or mandatory supervised release for first degree murder, a forcible felony as defined in Section 2-8 of the Criminal Code of 2012, any felony that requires registration as a sex offender under the Sex Offender Registration Act, or a Class X felony or Class 1 felony that is not a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, shall be subject to high level supervision. The Department shall define high level supervision based upon evidence-based and research-based practices. Notwithstanding this placement on high level supervision, placement of the subject on electronic monitoring or detention shall not occur unless it is required by law or expressly ordered or approved by the Prisoner Review Board.

(B) All subjects found to be at a low risk to recidivate shall be subject to low-level supervision, except for those subjects on paroleor mandatory supervised release for first degree murder, a forcible felony as defined in Section 2-8 of the Criminal Code of 2012, any felony that requires registration as a sex offender under the Sex Offender Registration Act, or a Class X felony or Class 1 felony that is not a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control andCommunity Protection Act. Low level supervision shall require the subject to check in with the supervising officer via phone or other electronic means. Notwithstanding this placement on low level supervision, placement of the subject on electronic monitoring or detention shall not occur unless it is required by law or expressly ordered or approved by the Prisoner Review Board.

(b) The Board may in addition to other conditions require that the subject:

(1) work or pursue a course of study or vocational training;

(2) undergo medical or psychiatric treatment, or treatment for drug addiction or alcoholism;

(3) attend or reside in a facility established for the instruction or residence of persons on probation or parole;

(4) support his or her dependents;

(5) (blank);

(6) (blank);

(7) (blank);

(7.5) if convicted for an offense committed on or

after the effective date of this amendatory Act of the 95th General Assembly that would qualify the accused as a child sex offender as defined in Section 11-9.3 or 11-9.4 of the Criminal Code of 1961 or the Criminal Code of 2012, refrain from communicating with or contacting, by means of the Internet, a person who is related to the accused and whom the accused reasonably believes to be under 18 years of age; for purposes of this paragraph (7.5), "Internet" has the meaning ascribed to it in Section 16-0.1 of the Criminal Code of 2012; and a person is related to the accused if the person is: (i) the spouse, brother, or sister of the accused; (ii) a descendant of the accused; (iii) a first or second cousin of the accused; or (iv) a step-child or adopted child of the accused;

(7.6) if convicted for an offense committed on or after June 1, 2009 (the effective date of Public Act 95-983) that would qualify as a sex offense as defined in the Sex Offender Registration Act:

(i) not access or use a computer or any other device with Internet capability without the prior written approval of the Department;

(ii) submit to periodic unannounced examinations of the offender's computer or any other device with Internet capability by the offender's supervising agent, a law enforcement officer, or assigned computer or information technology specialist, including the retrieval and copying of all data from the computer or device and any internal or external peripherals and removal of such information, equipment, or device to conduct a more thorough inspection;

(iii) submit to the installation on the offender's computer or device with Internet capability, at the offender's expense, of one or more hardware or software systems to monitor the Internet use; and

(iv) submit to any other appropriate restrictions concerning the offender's use of or access to a computer or any other device with Internet capability imposed by the Board, the Department or the offender's supervising agent; and

(8) in addition, if a minor:

(i) reside with his or her parents or in a foster home;

(ii) attend school;

(iii) attend a non-residential program for youth; or

(iv) contribute to his or her own support at home or in a foster home.

(b-1) In addition to the conditions set forth in subsections (a) and (b), persons required to register as sex offenders pursuant to the Sex Offender Registration Act, upon release from the custody of the Illinois Department of Corrections, may be required by the Board to comply with the following specific conditions of release:

(1) reside only at a Department approved location;

(2) comply with all requirements of the Sex Offender Registration Act;

(3) notify third parties of the risks that may be occasioned by his or her criminal record;

(4) obtain the approval of an agent of the Department of Corrections prior to accepting employment or pursuing a course of study or vocational training and notify the Department prior to any change in employment, study, or training;

(5) not be employed or participate in any

volunteer activity that involves contact with children, except under circumstances approved in advance and in writing by an agent of the Department of Corrections;

(6) be electronically monitored for a minimum of 12 months from the date of release as determined by the Board;

(7) refrain from entering into a designated geographic area except upon terms approved in advance by an agent of the Department of Corrections. The terms may include consideration of the purpose of the entry, the time of day, and others accompanying the person;

(8) refrain from having any contact, including written or oral communications, directly or indirectly, personally or by telephone, letter, or through a third party with certain specified persons including, but not limited to, the victim or the victim's family without the prior written approval of an agent of the Department of Corrections;

(9) refrain from all contact, directly or indirectly, personally, by telephone, letter, or through a third party, with minor children without prior identification and approval of an agent of the Department of Corrections;

(10) neither possess or have under his or her control any material that is sexually oriented, sexually stimulating, or that shows male or female sex organs or any pictures depicting children under 18 years of age nude or any written or audio material describing sexual intercourse or that depicts or alludes to sexual activity, including but not limited to visual, auditory, telephonic, or electronic media, or any matter obtained through access to any computer or material linked to computer access use;

(11) not patronize any business providing sexually stimulating or sexually oriented entertainment nor utilize "900" or adult telephone numbers;

(12) not reside near, visit, or be in or about parks, schools, day care centers, swimming pools, beaches, theaters, or any other places where minor children congregate without advance approval of an agent of the Department of Corrections and immediately report any incidental contact with minor children to the Department;

(13) not possess or have under his or her control certain specified items of contraband related to the incidence of sexually offending as determined by an agent of the Department of Corrections;

(14) may be required to provide a written daily log of activities if directed by an agent of the Department of Corrections;

(15) comply with all other special conditions that the Department may impose that restrict the person from high-risk situations and limit access to potential victims;

(16) take an annual polygraph exam;

(17) maintain a log of his or her travel; or

(18) obtain prior approval of his or her parole officer before driving alone in a motor vehicle.

(c) The conditions under which the parole or mandatory supervised release is to be served shall be communicated to the person in writing prior to his or her release, and he or she shall sign the same before release. A signed copy of these conditions, including a copy of an order of protection where one had been issued by the criminal court, shall be retained by the person and another copy forwarded to the officer in charge of his or her supervision.

(d) After a hearing under Section 3-3-9, the Prisoner Review Board may modify or enlarge the conditions of parole or mandatory supervised release.

(e) The Department shall inform all offenders committed to the Department of the optional services available to them upon release and shall assist inmates in availing themselves of such optional services upon their release on a voluntary basis.

(f) (Blank).

(Source: P.A. 99-628, eff. 1-1-17; 99-698, eff. 7-29-16; 100-201, eff. 8-18-17; 100-260, eff. 1-1-18; 100-575, eff. 1-8-18.)

(730 ILCS 5/3-3-8) (from Ch. 38, par. 1003-3-8)

Sec. 3-3-8. Length of parole and mandatory supervised release; discharge.

(a) The length of parole for a person sentenced under the law in effect prior to the effective date of this amendatory Act of 1977 and the length of mandatory supervised release for those sentenced under the law in effect on and after such effective date shall be as set out in Section 5-8-1 unless sooner terminated under paragraph (b) of this Section.

(b) The Prisoner Review Board may enter an order releasing and discharging one from parole or mandatory supervised release, and his or her commitment to the Department, when it determines that he or she is likely to remain at liberty without committing another offense.

(b-1) Provided that the subject is in compliance with the terms and conditions of his or her parole or mandatory supervised release, the Prisoner Review Board may reduce the period of a parolee or releasee's parole or mandatory supervised release by 90 days upon the parolee or releasee receiving a high school diploma or upon passage of high school equivalency testing during the period of his or her parole or mandatory supervised release. This reduction in the period of a subject's term of parole or mandatory supervised release shall be available only to subjects who have not previously earned a high school diploma or who have not previously passed high school equivalency testing.

(b-2) The Prisoner Review Board may release a low-risk and need subject person from mandatory supervised release as determined by an appropriate evidence-based risk and need assessment.

(c) The order of discharge shall become effective upon entry of the order of the Board. The Board shall notify the clerk of the committing court of the order. Upon receipt of such copy, the clerk shall make an entry on the record judgment that the sentence or commitment has been satisfied pursuant to the order.

(d) Rights of the person discharged under this Section shall be restored under Section 5-5-5.

(Source: P.A. 99-268, eff. 1-1-16; 99-628, eff. 1-1-17; 100-3, eff. 1-1-18.)

(730 ILCS 5/3-3-9) (from Ch. 38, par. 1003-3-9)

Sec. 3-3-9. Violations; changes of conditions; preliminary hearing; revocation of parole or mandatory supervised release; revocation hearing.

(a) If prior to expiration or termination of the term of parole or mandatory supervised release, a person violates a condition set by the Prisoner Review Board or a condition of parole or mandatory supervised release under Section 3-3-7 of this Code to govern that term, the Board may:

(1) continue the existing term, with or without modifying or enlarging the conditions; or

(2) parole or release the person to a half-way house; or

(3) revoke the parole or mandatory supervised release

and reconfine the person for a term computed in the following manner:

(i) (A) For those sentenced under the law in effect prior to this amendatory Act of 1977, the recommitment shall be for any portion of the imposed maximum term of imprisonment or confinement which had not been served at the time of parole and the parole term, less the time elapsed between the parole of the person and the commission of the violation for which parole was revoked;

(B) Except as set forth in paragraph (C), for those subject to mandatory supervised release under paragraph (d) of Section 5-8-1 of this Code, the recommitment shall be for the total mandatory supervised release term, less the time elapsed between the release of the person and the commission of the violation for which mandatory supervised release is revoked. The Board may also order that a prisoner serve up to one year of the sentence imposed by the court which was not served due to the accumulation of sentence credit;

(C) For those subject to sex offender supervision under clause (d)(4) of Section 5-8-1 of this Code, the reconfinement period for violations of clauses (a)(3) through (b-1)(15) of Section 3-3-7 shall not exceed 2 years from the date of reconfinement;

(ii) the person shall be given credit against the term of reimprisonment or reconfinement for time spent in custody since he or she was paroled or released which has not been credited against another sentence or period of confinement;

(iii) (blank);

(iv) this Section is subject to the release under supervision and the reparole and rerelease provisions of Section 3-3-10.

(b) The Board may revoke parole or mandatory supervised release for violation of a condition for the duration of the term and for any further period which is reasonably necessary for the adjudication of matters arising before its expiration. The issuance of a warrant of arrest for an alleged violation of the conditions of parole or mandatory supervised release shall toll the running of the term until the final determination of the charge. When parole or mandatory supervised release is not revoked that period shall be credited to the term, unless a community-based sanction is imposed as an alternative to revocation and reincarceration, including a diversion established by the Illinois Department of Corrections Parole Services Unit prior to the holding of a preliminary parole revocation hearing. Parolees who are diverted to a community-based sanction shall serve the entire term of parole or mandatory supervised release, if otherwise appropriate.

(b-5) The Board shall revoke parole or mandatory supervised release for violation of the conditions prescribed in paragraph (7.6) of subsection (a) of Section 3-3-7.

(c) A person charged with violating a condition of parole or mandatory supervised release shall have a preliminary hearing before a hearing officer designated by the Board to determine if there is cause to hold the person for a revocation hearing. However, no preliminary hearing need be held when revocation is based upon new criminal charges and a court finds probable cause on the new criminal charges or when the revocation is based upon a new criminal conviction and a certified copy of that conviction is available.

(d) Parole or mandatory supervised release shall not be revoked without written notice to the offender setting forth the violation of parole or mandatory supervised release

charged against him or her.

(e) A hearing on revocation shall be conducted before at least one member of the Prisoner Review Board. The Board may meet and order its actions in panels of 3 or more members. The action of a majority of the panel shall be the action of the Board. A record of the hearing shall be made. At the hearing the offender shall be permitted to:

(1) appear and answer the charge; and

(2) bring witnesses on his or her behalf.

(f) The Board shall either revoke parole or mandatory supervised release or order the person's term continued with or without modification or enlargement of the conditions.

(g) Parole or mandatory supervised release shall not be revoked for failure to make payments under the conditions of parole or release unless the Board determines that such failure is due to the offender's willful refusal to pay.

(Source: P.A. 98-463, eff. 8-16-13; 98-558, eff. 1-1-14; 99-628, eff. 1-1-17.)

(730 ILCS 5/3-3-9.5)

Sec. 3-3-9.5. Revocation of aftercare release; revocation hearing.

(a) If, prior to expiration or termination of the aftercare release term, a juvenile committed to the Department of Juvenile Justice under the Juvenile Court Act of 1987 violates a condition of release set by the Department under Section 3-2.5-95 of this Code, the Department may initiate revocation proceedings by issuing a violation warrant under Section 3-2.5-70 of this Code or by retaking of the releasee and returning him or her to a Department facility.

(b) The Department shall provide the releasee and the Prisoner Review Board with written notice of the alleged violation of aftercare release charged against him or her.

(c) The issuance of a warrant of arrest for an alleged violation of the conditions of aftercare release shall toll the running of the aftercare release term until the final determination of the alleged violation is made. If the Board finds that the youth has not violated a condition of aftercare release, that period shall be credited to the term.

(d) A person charged with violating a condition of aftercare release shall have a preliminary hearing before a hearing officer designated by the Board to determine if there is probable cause to hold the person for a revocation hearing. However, no preliminary hearing need be held when revocation is based upon new criminal charges and a court finds probable cause on the new criminal charges or when the revocation is based upon a new criminal conviction or a finding of delinquency and a certified copy of that conviction is available.

(e) At the preliminary hearing, the Board may order the releasee held in Department custody or released under supervision pending a final revocation decision of the Board. A youth who is held in Department custody, shall be released and discharged upon the expiration of the maximum term permitted under the Juvenile Court Act of 1987.

(f) A hearing on revocation shall be conducted before at least one member of the Prisoner Review Board. The Board may meet and order its actions in panels of 3 or more members. The action of a majority of the panel shall be the action of the Board. The member hearing the matter and at least a majority of the panel shall be experienced in juvenile matters. A record of the hearing shall be made. At the hearing the releasee shall be permitted to:

(1) appear and answer the charge; and

(2) bring witnesses on his or her behalf.

(g) If the Board finds that the juvenile has not violated a condition of aftercare release, the Board shall order the

juvenile rereleased and aftercare release continued under the existing term and may make specific recommendations to the Department regarding appropriate conditions of release.

(h) If the Board finds that the juvenile has violated a condition of aftercare release, the Board shall either:

(1) revoke aftercare release and order the juvenile reconfined; or

(2) order the juvenile rereleased to serve a specified aftercare release term not to exceed the full term permitted under the Juvenile Court Act of 1987 and may make specific recommendations to the Department regarding appropriate conditions of rerelease.

(i) Aftercare release shall not be revoked for failure to make payments under the conditions of release unless the Board determines that the failure is due to the juvenile's willful refusal to pay.

(Source: P.A. 99-628, eff. 1-1-17.)

(730 ILCS 5/3-3-10) (from Ch. 38, par. 1003-3-10)

Sec. 3-3-10. Eligibility after revocation; release under supervision.

(a) A person whose parole or mandatory supervised release has been revoked may be reparoled or rereleased by the Board at any time to the full parole or mandatory supervised release term under Section 3-3-8, except that the time which the person shall remain subject to the Board shall not exceed (1) the imposed maximum term of imprisonment or confinement and the parole term for those sentenced under the law in effect prior to the effective date of this amendatory Act of 1977 or (2) the term of imprisonment imposed by the court and the mandatory supervised release term for those sentenced under the law in effect on and after such effective date.

(b) If the Board sets no earlier release date:

(1) A person sentenced for any violation of law which occurred before January 1, 1973, shall be released under supervision 6 months prior to the expiration of his or her maximum sentence of imprisonment less good time credit under Section 3-6-3.

(2) Any person who has violated the conditions of his or her parole and been reconfined under Section 3-3-9 shall be released under supervision 6 months prior to the expiration of the term of his or her reconfinement under paragraph (a) of Section 3-3-9 less good time credit under Section 3-6-3. This paragraph shall not apply to persons serving terms of mandatory supervised release.

(3) Nothing herein shall require the release of a person who has violated his or her parole within 6 months of the date when his or her release under this Section would otherwise be mandatory.

(c) Persons released under this Section shall be subject to Sections 3-3-6, 3-3-7, 3-3-9, 3-14-1, 3-14-2, 3-14-2.5, 3-14-3, and 3-14-4.

(d) This Section shall not apply to a juvenile committed to the Department of Juvenile Justice under the Juvenile Court Act of 1987 serving terms of aftercare release.

(Source: P.A. 98-558, eff. 1-1-14; 99-268, eff. 1-1-16; 99-628, eff. 1-1-17.)

(730 ILCS 5/3-3-11) (from Ch. 38, par. 1003-3-11)

Sec. 3-3-11. (Repealed).

(Source: P.A. 91-325, eff. 7-29-99. Repealed by P.A. 92-571, eff. 6-26-02.)

(730 ILCS 5/3-3-11.05)

Sec. 3-3-11.05. State Council for Interstate Compacts for the State of Illinois.

(a) Membership and appointing authority.

(1) A State Compact Administrator for the Interstate Compact for Adult Offender Supervision shall be appointed by the Governor. The Adult Offender Supervision Compact Administrator shall be a representative of the Illinois Department of Corrections and shall act as the day-to-day administrator for the Interstate Compactfor Adult Offender Supervision. The State Compact Administrator shall serve as the State's Commissioner to the Interstate Commission for Adult Offenders, as provided in Article IV of the Compact. The Adult Offender Supervision Compact Administrator shall serve as Chairperson of the State Council for Interstate Compacts, except that the State Compact Administrator for the Interstate Compact for Juveniles may be designated by the State Council to serve as Chairperson for the State Council when juvenile issues come before the council.

(2) A Deputy Compact Administrator from probation shall be appointed by the Supreme Court.

(3) A representative shall be appointed by the Speaker of the House of Representatives.

(4) A representative shall be appointed by the Minority Leader of the House of Representatives.

(5) A representative shall be appointed by the President of the Senate.

(6) A representative shall be appointed by the Minority Leader of the Senate.

(7) A judicial representative shall be appointed by the Supreme Court.

(8) A representative from a crime victims' advocacy group shall be appointed by the Governor.

(9) A parole representative shall be appointed by the Director of Corrections.

(10) A probation representative shall be appointed by the Director of the Administrative Office of the Illinois Courts.

(11) A representative shall be appointed by the Director of Juvenile Justice.

(12) The Deputy Compact Administrator (Juvenile) appointed by the Secretary of Human Services.

(13) The State Compact Administrator of the Interstate Compact for Juveniles.

(14) The persons appointed under clauses (1) through (13) of this subsection (a) shall be voting members of the State Council. With the approval of the State Council, persons representing other organizations that may have an interest in the Compact may also be appointed to serve as non-voting members of the State Council by those interested organizations. Those organizations may include, but are not limited to, the Illinois Sheriffs' Association, the Illinois Association of Chiefs of Police, the Illinois State's Attorneys Association, and the Office of Attorney General.

(b) Terms of appointment.

(1) The Compact Administrators and the Deputy Compact Administrators shall serve at the will of their respective appointing authorities.

(2) The crime victims' advocacy group representative and thejudicial representative shall each serve an initial term of 2 years. Thereafter, they shall each serve for a term of 4 years.

(3) The representatives appointed by the Speaker of the House of Representatives, the President of the Senate, the Minority Leader of the House of Representatives, and the Minority Leader of the Senate shall each serve for a term of 4 years. If one of these representatives shall not be able to fulfill the completion of his or her term, then

another representative shall be appointed by his or her respective appointing authority for the remainder of his or her term.

(4) The probation representative and the parole representative shall each serve a term of 2 years.

(5) The time frame limiting the initial term of appointments for voting representatives listed in clauses (2) through (4) of this subsection (b) shall not begin until more than 50% of the appointments have been made by the respective appointing authorities.

(c) Duties and responsibilities.

(1) The duties and responsibilities of the State Council shall be:

(A) To appoint the State Compact Administrator as Illinois' Commissioner on the Interstate Commission.

(B) To develop by-laws for the operation of the State Council.

(C) To establish policies and procedures for the Interstate Compact operations in Illinois.

(D) To monitor and remediate Compact compliance issues in Illinois.

(E) To promote system training and public awareness regarding the Compact's mission and mandates.

(F) To meet at least twice a year and otherwise as called by the Chairperson.

(G) To allow for the appointment of non-voting members as deemed appropriate.

(H) To issue rules in accordance with Article 5 of the Illinois Administrative Procedure Act.

(I) To publish Interstate Commission rules.

(d) Funding. The State shall appropriate funds to the Department of Corrections to support the operations of the State Council and its membership dues to the Interstate Commission.

(e) Penalties. Procedures for assessment of penalties imposed pursuant to Article XII of the Compact shall be established by the State Council.

(f) Notification of ratification of Compact. The State Compact Administrator shall notify the Governor and Secretary of State when 35 States have enacted the Compact.

(Source: P.A. 95-937, eff. 8-26-08.)

(730 ILCS 5/3-3-11.1) (from Ch. 38, par. 1003-3-11.1)

Sec. 3-3-11.1. State defined. As used in Sections 3-3-11.5 through 3-3-11.3, unless the context clearly indicates otherwise, the term "State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other territorial possessions of the United States.

(Source: P.A. 95-937, eff. 8-26-08.)

(730 ILCS 5/3-3-11.2) (from Ch. 38, par. 1003-3-11.2)

Sec. 3-3-11.2. Force and effect of compact.

When the Governor of this State shall sign and seal the Interstate Compact for Adult Offender Supervision, the Interstate Compact for Juveniles, or any compact with any other State, pursuant to the provisions of this Act, such compact or compacts as between the State of Illinois and such other State so signing shall have the force and effect of law immediately upon the enactment by such other State of a law giving it similar effect.

(Source: P.A. 95-937, eff. 8-26-08.)

(730 ILCS 5/3-3-11.3) (from Ch. 38, par. 1003-3-11.3)

Sec. 3-3-11.3. Compacts for Crime Prevention and

Correction. The Governor of the State of Illinois is further authorized and empowered to enter into any other agreements or compacts with any of the United States not inconsistent with the laws of this State or of the United States, or the other agreeing States, for co-operative effort and mutual assistance in the prevention of crime and in the enforcement of the penal laws and policies of the contracting States and to establish agencies, joint or otherwise, as may be deemed desirable for making effective such agreements and compacts. The intent and purpose of this Act is to grant to the Governor of the State of Illinois administrative power and authority if and when conditions of crime make it necessary to bind the State in a cooperative effort to reduce crime and to make the enforcement of the criminal laws of agreeing States more effective, all pursuant to the consent of the Congress of the United States heretofore granted.
(Source: P.A. 77-2097.)

(730 ILCS 5/3-3-11.4) (from Ch. 38, par. 1003-3-11.4)

Sec. 3-3-11.4. Where supervision of an offender is being administered pursuant to the Interstate Compact for Adult Offender Supervision, the appropriate judicial or administrative authorities in this State shall notify the Compact Administrator of the sending State whenever, in their view, consideration should be given to retaking or reincarceration for a parole or probation violation. Prior to the giving of any such notification, a hearing shall be held within a reasonable time as to whether there is probable cause to believe that the offender has violated a condition of his parole or probation, unless such hearing is waived by the offender by way of an admission of guilt. The appropriate officer or officers of this State shall as soon as practicable, following termination of any such hearing, report to the sending State, furnish a copy of the hearing record, and make recommendations regarding the disposition to be made of the offender.
(Source: P.A. 92-571, eff. 6-26-02.)

(730 ILCS 5/3-3-11.5)

Sec. 3-3-11.5. Sex offender restrictions.

(a) Definition. For purposes of this Act, a "sex offender" is any person who has ever been convicted of a sexual offense or attempt to commit a sexual offense, and sentenced to a term of imprisonment, periodic imprisonment, fine, probation, conditional discharge or any other form of sentence, or given a disposition of court supervision for the offense; or adjudicated or found to be a sexually dangerous person under any law substantially similar to the Sexually Dangerous Persons Act.

(b) Residency restrictions. No sex offender shall be accepted for supervised or conditioned residency in Illinois under the Interstate Compact for Adult Offender Supervision unless he or she:

(1) Complies with any registration requirements imposed by the Sex Offender Registration Act within the times prescribed and with law enforcement agencies designated under that Act;

(2) Complies with the requirements of paragraph (a)(5) of Section 5-4-3 of the Unified Code of Corrections relating to the submission of blood specimens for genetic marker grouping by persons seeking transfer to or residency in Illinois; and

(3) Signs a written form approved by the Department of Corrections which, at a minimum, includes the substance of this Section or a summary of it and an acknowledgement

that he or she agrees to abide by the conditions set forth in that document and this Section.
(Source: P.A. 92-571, eff. 6-26-02.)

(730 ILCS 5/3-3-12) (from Ch. 38, par. 1003-3-12)
Sec. 3-3-12. Parole Outside State. The Prisoner Review Board may assign a non-resident person or a person whose family, relatives, friends or employer reside outside of this State, to a person, firm or company in some state other than Illinois, to serve his parole or mandatory supervised release pursuant to the Interstate Compact for Adult Offender Supervision. An inmate so released shall make regular monthly reports in writing to the Department or supervising authority, obey the rules of the Board, obey the laws of such other state, and in all respects keep faithfully his parole or mandatory supervised release agreement until discharged. Should such person violate his agreement, he shall from the date of such violation be subject to the provisions of Section 3-3-9.
(Source: P.A. 92-571, eff. 6-26-02.)

(730 ILCS 5/3-3-13) (from Ch. 38, par. 1003-3-13)
Sec. 3-3-13. Procedure for Executive Clemency.
(a) Petitions seeking pardon, commutation, or reprieve shall be addressed to the Governor and filed with the Prisoner Review Board. The petition shall be in writing and signed by the person under conviction or by a person on his behalf. It shall contain a brief history of the case, the reasons for seeking executive clemency, and other relevant information the Board may require.
(a-5) After a petition has been denied by the Governor, the Board may not accept a repeat petition for executive clemency for the same person until one full year has elapsed from the date of the denial. The Chairman of the Board may waive the one-year requirement if the petitioner offers in writing new information that was unavailable to the petitioner at the time of the filing of the prior petition and which the Chairman determines to be significant. The Chairman also may waive the one-year waiting period if the petitioner can show that a change in circumstances of a compelling humanitarian nature has arisen since the denial of the prior petition.
(b) Notice of the proposed application shall be given by the Board to the committing court and the state's attorney of the county where the conviction was had.
(c) The Board shall, if requested and upon due notice, give a hearing to each application, allowing representation by counsel, if desired, after which it shall confidentially advise the Governor by a written report of its recommendations which shall be determined by majority vote. The Board shall meet to consider such petitions no less than 4 times each year.
Application for executive clemency under this Section may not be commenced on behalf of a person who has been sentenced to death without the written consent of the defendant, unless the defendant, because of a mental or physical condition, is incapable of asserting his or her own claim.
(d) The Governor shall decide each application and communicate his decision to the Board which shall notify the petitioner.
In the event a petitioner who has been convicted of a Class X felony is granted a release, after the Governor has communicated such decision to the Board, the Board shall give written notice to the Sheriff of the county from which the offender was sentenced if such sheriff has requested that such notice be given on a continuing basis. In cases where arrest of the offender or the commission of the offense took place in

any municipality with a population of more than 10,000 persons, the Board shall also give written notice to the proper law enforcement agency for said municipality which has requested notice on a continuing basis.

(e) Nothing in this Section shall be construed to limit the power of the Governor under the constitution to grant a reprieve, commutation of sentence, or pardon.

(Source: P.A. 89-112, eff. 7-7-95; 89-684, eff. 6-1-97.)

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