



Illinois Sentencing Policy Advisory Council

Executive Director
Victoria Gonzalez

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Illinois Sentencing Policy Advisory Council (SPAC)

Regular Meeting

AGENDA

Friday, November 22, 2024
10am to 12pm

Location

Michael A. Bilandic Building, 160 N. LaSalle, Room N500, Chicago, Illinois 60601

Participation Information

Video: <https://illinois.webex.com/illinois/j.php?MTID=m683a9f3502065dfe4ebc2a82eb763831>

Telephone: 312-535-8110 **Access Code:** 2632 067 2916 **Password:** Phone/Video – 57378724
Webex Browser: 5peR8pAheU3

Please note that this meeting will be video recorded.

- I. **Welcome, Agenda Overview** - *John Cullerton, SPAC Chairperson*
- II. **Roll Call** - *Victoria Gonzalez, SPAC Executive Director*
- III. **Vote to Approve September 2024 Meeting Minutes** - *Victoria Gonzalez, SPAC Executive Director*
- IV. **Executive Director's Report** – *Victoria Gonzalez, SPAC Executive Director*
- V. **Presentation of New Publications Developed by SPAC's Policy Education Team**– *John Specker, SPAC Government Affairs and Communications Advisor & Michael Varrige, SPAC Legal Counsel*
 - a. Educational Series
 - b. Public Acts Document for the 2024 Session of the 103rd General Assembly
- VI. **Presentation about Risk and Needs Assessments in the Illinois Department of Corrections** – *Chief Jennifer Parrack, IDOC Chief of Programs*
- VII. **Public Comment**
- VIII. **New Business/Old Business**
 - a. 2025 Meeting Dates: July 18th, September 19th, and November 21st
- IX. **Adjourn**

Troubleshooting and Technical Difficulties: email John.Specker@Illinois.gov
Questions and Comments for those on phone: email Michael.Varrige@illinois.gov

Illinois Sentencing Policy Advisory Council

Regular Meeting Minutes¹

September 20, 2024 10am – 12:20pm

Location: Northern Reception & Classification Center, Illinois Department of Corrections

19893 Division St, Crest Hill, IL 60403

Michael A. Bilandic Building and Virtual

160 N La Salle St, Room N502, Chicago, IL 60601.

Members Present in Person

Chair John Cullerton, Scott Main, Doug Harvath, Julia Reitz, Mitchell Davis, Latoya Hughes, Jim Montgomery, Delrice Adams, Declan Binninger

Members Present by Video

Sen. Elgie Sims, Rep. Justin Slaughter, Rep. Patrick Windhorst, Christelle Perez, Don Bernardi, Daniel Hunt, Augie Torres, Don Stemen, Patricia Jjemba, Lisa Daniels

Members Absent-

Sen. Steve McClure, Ron Hain, Anne Fitzgerald

Non-Members Present in Person or by Video

Victoria Gonzalez, Mark Powers, John Specker, Michael Varrige, Paula Wolff, Caitlyn Rothenberg, Jorja Powers, MaryAnn Dyar, Jen Paswater, Selina Zhang, Ivan Castaneda, Laurie Jo Reynolds, Josh Blum, Francesca Federspiul, Isaiah Thomas, Vianie Sanchez, Alyana Dela Cruz, Ariel Cisneros, Yaretzy Gonzales, Victor Diaz, Alexandra Sanchez, Leo Martin, Zander Garcia, Troy Szabo, Sarah Plumlee, Lindsey Reppe, Christine Brannon-Dortch, Charles Truitt, Jean-Marie Case, Brian Page, Darrin Hunter, Sunina Chacko, Alyssa Williams, Shelith Hansbro, Millicent Lewis-McCoy, Molly Halladay-Glynn, Anne Sullivan, Lindsey Hammond

Welcome, Introductions & Updates

Chairperson Cullerton called the forty-fifth regular meeting of the Illinois Sentencing Policy Advisory Council to order at 10:00 a.m. Chairperson Cullerton then had SPAC's Executive Director Victoria Gonzalez take the roll.

Chairperson Cullerton reviewed the agenda for the meeting stating there would be an Executive Director's Report, a presentation about reception and classification from the Illinois Department of Corrections, a presentation from the Nevada Department of Sentencing Policy, and a tour of the Northern Reception and Classification Center.

¹ A full recording and transcript are not available for this meeting because of technical difficulties experienced at the Northern Reception and Classification Center which resulted in a network connection failure.

Vote: Approval of the Minutes from the June 2024 Meeting

Chairperson Cullerton called for a motion to approve the Minutes from SPAC's June Meeting. Following a motion being made and seconded, the minutes from the June 2024 meeting were unanimously approved.

Chairperson Cullerton then asked Director Gonzalez to provide the Executive Director's Report.

Executive Director's Report

Director Gonzalez's Report included reminding those council members who are not exempt from annual State-mandated trainings to complete their training requirements. Director Gonzalez also provided an update on staff recruitment, specifically for two researchers. Director Gonzalez provided a preview of the next few SPAC meetings, one of which will cover the risk and needs assessment tool that the Department of Corrections uses for those in its custody.

There were no questions or discussion about this topic.

Illinois Department of Corrections Presentation

Chair Cullerton introduced Stateville and Northern Reception Center Warden Charles Truitt who provided a brief introduction to the presentation. Next, Assistant Warden of Operations JeanMarie Case began the presentation and covered topics including background on the Department of Corrections and its various locations for reception throughout the State, what occurs on an individual's first day in custody, and services provided at the Northern Reception Center. Then, Brian Page, Psy. D., presented on the mental health review that staff completes for all intakes at the Northern Reception Center. Next, Sunina Chacko, DNP, presented on the healthcare unit and its capabilities at the Northern Reception Center. Finally, a Department of Corrections counselor presented on the process to get classified and transferred to a parent facility within the Department of Corrections.

Presentation from Nevada Department of Sentencing Policy

Chairperson Cullerton introduced Jorja Powers, the Executive Director of the Nevada Department of Sentencing Policy, to present on the differences between Nevada's process for reception and classification compared to Illinois's process. Ms. Powers presentation provided a history of the Nevada penal and carceral systems as well as an on the ground view of the system from her perspective having worked in the Nevada Department of Corrections prior to her work with the Nevada Department of Sentencing Policy.

Public Comment

No Public Comment due to the technical difficulties.

New Business

SPAC's next meeting is November 22, 2024 at 10 am.

Tour of the Northern Reception and Classification Center

Illinois Department of Corrections staff invited the Council and others present to tour the Northern Reception and Classification Center.

Adjournment

Chairperson Cullerton adjourned the meeting after the tour of the Northern Reception and Classification Center.



Felony Sentence Structure

OFFENSE CLASS	PROBATION SENTENCE	PRISON SENTENCE	EXTENDED TERM ¹	MANDATORY SUPERVISE RELEASE ²	EXAMPLE OF OFFENSES
FIRST-DEGREE MURDER	Not Allowed ³	20-60 years	60 - 100 years Up to Life in Prison ⁴	3 years	Intentional Homicide
CLASS X	Not Allowed ³	6-30 years	30-60 years	18 months	Aggravated Criminal Sexual Assault, Armed Robbery
CLASS 1 ⁵	Up to 4 years	4-15 years ⁶	15-30 years	12 months	Criminal Sexual Assault, Second Degree Murder
CLASS 2	Up to 4 years	3-7 years ⁶	7-14 years	12 months	Unlawful Possession of a Weapon by a Felon
CLASS 3	Up to 30 months	2-5 years	5-10 years	6 months	Possession of Methamphetamine
CLASS 4	Up to 30 months	1-3 years	3-6 years	6 months	Theft, Unlawful Possession of a Firearm

- 1 **Extended Term:** The court may impose an extended term of imprisonment. Factors that allow for extended terms are provided in [730 ILCS 5/5-5-3.2\(b\)-\(e\)](#) or in the statute that the created the offense.
- 2 **Mandatory Supervised Release (MSR):** Mandatory Supervised Release is a period of supervision that occurs after release from the Illinois Department of Corrections. This chart provides the general MSR terms for felony classes in Illinois. Specific offenses require different MSR terms provided in [730 ILCS 5/5-8-1\(d\)](#).
- 3 **Non-Probationable Offenses:** Probation cannot be imposed as a sentence for offenses listed in [730 ILCS 5/5-5-3](#) or if statute that creates the offense mandates a prison sentence.
- 4 **Life in Prison:** Someone can be sentenced to a term of natural life imprisonment in accordance with [730 ILCS 5/5-8-1\(a\)\(1\)-\(2.5\)](#). A sentence to a term of natural life in prison is also allowed when someone is convicted of being a habitual criminal as defined in [730 ILCS 5/5-4.5-90\(a\)](#).
- 5 **Second Degree Murder:** Second Degree Murder, a Class 1 felony, has a sentence range of 4-20 years, rather than the standard range of 4-15 years for other Class 1 offenses.

- 6 **Habitual Criminal:** People age 21 or over convicted of a 3rd Class 1 or Class 2 forcible felony shall be sentenced to a Class X term of 6-30 years of imprisonment. (See [730 ILCS 5/5-4.5-90\(b\)](#))

Notes:

- A. Certain offenses or offense characteristics can result in sentence enhancements leading to a sentence that exceeds the ranges that are provided in this table.
- B. First Degree Murder is also referred to as Class M.
- C. Non-Conviction Dispositions: Illinois has Second Chance Probation ([730 ILCS 5/5-6-3.4](#)), First Time Weapons Offense Program ([730 ILCS 5/5-6-3.6](#)), Offender Initiative Program ([730 ILCS 5/5-6-3.3](#)), 570/10 Probation ([720 ILCS 570/410](#)), 550/10 Probation ([720 ILCS 550/10](#)), and 646/70 Probation ([720 ILCS 646/70](#)) which are programs that allow for eligible participants to complete diversion programs resulting in no conviction on their criminal records.
- D. The Sentencing Policy Advisory Council (SPAC) is a statutorily created council that does not support or oppose legislation. Data analysis and research is conducted by SPAC's staff. The analysis presented here is not intended to reflect the opinions or judgments of SPAC's member organizations.

Prison Sentences 101

FELONY SENTENCE ONE YEAR OR LONGER¹

ILLINOIS DEPARTMENT OF CORRECTIONS

STATEWIDE JURISDICTION

DETERMINATE SENTENCING²

Sentences



Sentences imposed are for a specific length of time.

If someone has multiple sentences, they can be served concurrently or consecutively.³

Sentence Credits



People can earn credits to shorten their time served in the Department of Corrections.⁴ These credits include statutory sentence credits,⁵ programming sentence credits,⁶ earned sentence credits,⁷ and credits for various educational achievements.⁸

Release from Prison

Release dates are determined by the sentence length imposed and the amount of sentence credits the person earned, including time credited for pre-trial custody. Generally, there is no discretionary parole for people exiting prison in Illinois.⁹

Sentence Imposed

=

Sentence Credits

=



Release Date

Mandatory Supervised Release (MSR)

Most people released from prison are required to serve a term of MSR in the community upon their release from prison.¹⁰ The length of MSR is determined by the offense.¹¹ The Prisoner Review Board (PRB) sets the conditions for the MSR term.¹²

MSR Term

+

PRB Conditions

1: In Illinois only people with a felony sentence of 1 year or longer can be sent to the Illinois Department of Corrections (IDOC).

2: Illinois has a determinate sentencing structure. This structure means that when a person is sentenced, the judge imposes a set amount of time to serve in IDOC. The amount of time imposed is based on the range for the specific offense provided for in the Code of Corrections ([730 ILCS 5/5-4.5 et. al](#)). As an example, someone could be sentenced to five years where the statutory sentence range for the offense is 2 to 10 years. Illinois does not have sentencing guidelines, like other states and the federal system do.

Prior to 1978, Illinois had an indeterminate sentencing structure so some people in IDOC are still serving indeterminate sentences. An indeterminate sentence means the person receives both a minimum and maximum sentence. When the person has served the minimum, they go before the Prisoner Review Board (PRB). PRB will determine if the person should continue serving time in IDOC or can be released to parole where they serve the remainder of their sentence in the community while being supervised. The time served on parole would be up to the maximum sentence imposed. If PRB decides not to release the person to parole, they will serve their sentence in IDOC until PRB grants their parole or they have served their maximum sentence.

After the change to determinate sentencing, people were allowed to choose to be resentenced to a determinate term or keep their indeterminate term. People who kept their indeterminate sentence are identified by their DOC identification number beginning with a C.

3: [730 ILCS 5/5-8-4](#): The Illinois Code of Corrections provides circumstances where a consecutive sentence is possible and circumstances where a consecutive sentence is mandatory.

4: Time served in IDOC is also referred to as length of stay (LOS). Length of stay is determined by calculating the number of days/months/years between the person's admission date and their release date. Time served in pretrial custody is not included in prison LOS because it was served somewhere other than IDOC.

5: Statutory Sentence Credits are also referred to as Truth-in-Sentencing (TIS). TIS limits the amount of sentence credits that a person can earn for specific offenses. TIS requires someone to serve 75%, 85%, or 100% of the sentence imposed by the judge. TIS restrictions are provided in [730 ILCS 5/3-6-3\(a\)\(2\) - \(2.6\)](#).

6: Programming credits include substance abuse, correctional industry assignment, educational programming, work-release programs, behavior modification programs, life skills courses, or re-entry planning.

7: Earned Sentence credits include Earned Discretionary Sentence Credits (EDSC), which allow for the Director of IDOC to award up to 180 days of credit to an individual who has a sentence of less than 5 years, and up to 365 days of credit to an individual who has a sentence of 5 or more years.

8: [730 ILCS 5/3-6-3\(a\)\(4.1\)](#) provides that IDOC shall provide 90 days credit to a person who completed their high school equivalency test while incarcerated, 120 days for achieving an associate degree, and 180 days for achieving a bachelor's degree or masters degree.

9: People who are still serving indeterminate sentences will have the traditional parole hearing to determine their release. There is a possibility of parole for people under 21 when they committed the offense provided in [730 ILCS 5/5-4.5-115](#).

10: Some people are discharged from IDOC. Generally, a discharge happens after someone is revoked for violating the conditions of their MSR term and serves the remainder of their MSR term in IDOC. When someone is discharged, they are released into the community without any supervision.

11: [730 ILCS 5/5-8-1\(d\)](#) provides the MSR terms.

12: [730 ILCS 5/3-3-7](#) provides conditions for MSR.

Probation Sentences 101

SERVED IN THE
COMMUNITY

FELONY AND
MISDEMEANOR OFFENSES

COUNTY/ CIRCUIT
PROBATION DEPARTMENT¹

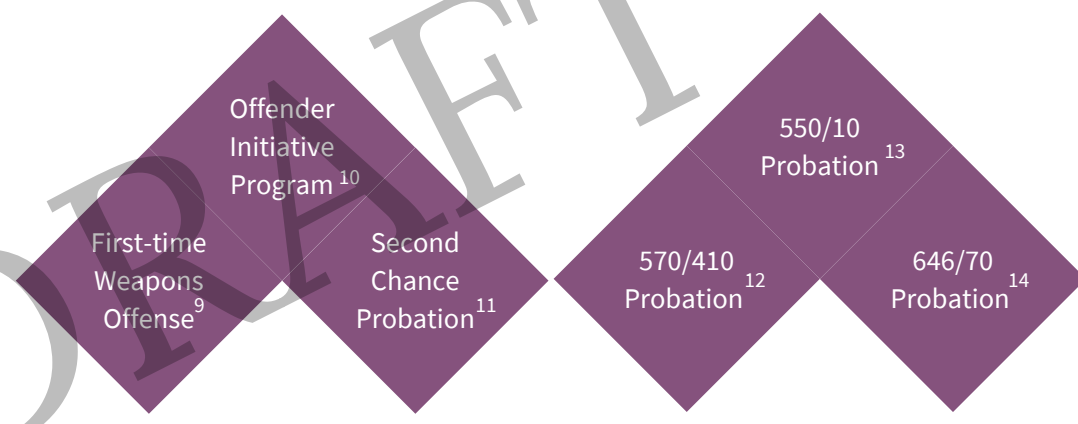
Except where prohibited,² the court is required to sentence someone to probation or conditional discharge unless factors exist that warrant a prison sentence (730 ILCS 5/5-6-1)³.

Sentence lengths,⁴ conditions⁵, and credits⁶ are prescribed in the Code of Corrections.

Probation departments are mostly funded by the local government. Adult Redeploy Illinois provides funding from the State level to local jurisdictions for certain programs⁷.

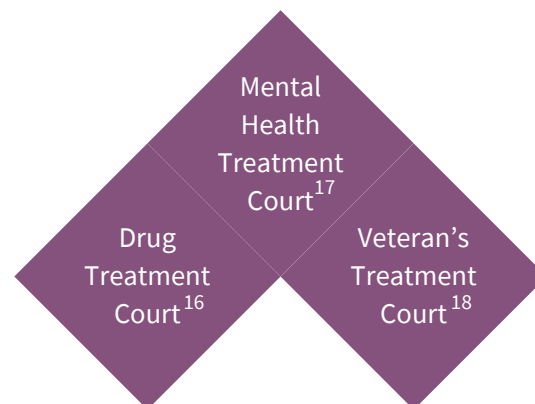
Special Probation Programs⁸

Specific offenses, successful completion leads to dismissal of charges for many of the programs



Problem Solving Courts¹⁵

Provide wrap around services and intensive supervision with specially trained personnel to address specific behavioral health needs or special populations



Probation Violations

People who violate conditions of their probation can be sanctioned by having additional conditions placed upon them, their probation term extended, or their probation sentence revoked and then resentenced to prison.

- 1: Some departments are run at the county level and others are operated at the judicial circuit level. The local counties or judicial circuits provide the funding and direct supervision for the probation caseloads, but the Administrative Office of the Illinois Courts Probation Services Division provides support to local jurisdictions. Support includes help with the development and implementation of evidence based practices and design and delivery of training for personnel.
- 2: Probation is not allowed for offenses listed in 730 ILCS 5/5-5-3.
- 3: Factors include: Imprisonment is necessary to protect the public, and options like probation or conditional release would downplay the seriousness of the offender's actions.
- 4: The judge imposes a set amount of time that the person must serve on probation. Probation sentence lengths are prescribed in 730 ILCS 5/5-4.5 et. al.
- 5: Probation conditions include reporting in-person as directed by the court, refraining from possessing a firearm, permitting probation officer to visit at home or elsewhere, undergoing programming, not committing a new crime, or other conditions. Possible probation conditions are provided in 730 ILCS 5/5-6-3.
- 6: People are eligible to earn sentence credits for educational achievements while on probation. For a high school diploma people get 90 days credit, 120 days for an associated degree, and 180 days for a bachelor's degree. People who are sentenced to probation for a violent offense, as defined in 730 ILCS 5/5-6-2 are not eligible to earn credits.
- 7: Adult Redeploy Illinois (730 ILCS 190/20) is a state-wide program that provides grants to counties, groups of counties, and judicial circuits to increase programming in their areas.
- 8: These programs have specific eligibility criteria that target specific offenses or probationer characteristics. Specialty probation programs require the person to plead guilty and follow specific criteria for participation in the program. Upon successful completion, many of these programs result in the dismissal of charges resulting in no conviction on the person's record.
- 9: The First Time Weapons Offense Program (730 ILCS 5/5-6-3.6) is for first-time, non-violent offenders charged with certain weapons possession offenses. Upon successful completion of this program, the charges are dismissed and the person does not have a conviction on their record.
- 10: The Offender Initiative Program (730 ILCS 5/5-6-3.3) is for people, who have no previous convictions, and are charged with, and plead guilty to specific non-violent property and drug offenses. The program must last at least 1 year and people who successfully complete this program have charges dismissed resulting in no conviction on their record.
- 11: Second Chance Probation (730 ILCS 5/5-6-3.4) is for people who have no previous convictions, and are charged with and plead guilty to, or is found guilty of, specific eligible offenses. The probation must last at least 2 years and people who successfully complete this program have charges dismissed resulting in no conviction on their record.
- 12: Allows someone with no prior convictions charged with possession of a controlled substance to participate in the program. People who successfully complete this program have charges dismissed and the person does not have a conviction on their record. (720 ILCS 570/410)
- 13: Allows someone with no prior convictions who is charged with low level cannabis offense to participate in the program. People who successfully complete this program have charges dismissed and the person does not have a conviction on their record. (720 ILCS 550/10)
- 14: Allows someone with no prior convictions who is charged with low level methamphetamine offense to participate in the program. People who successfully complete this program have charges dismissed and the person does not have a conviction on their record. (720 ILCS 646/70)
- 15: These programs intend to address the needs of special populations, including behavioral health needs or special needs populations, like veterans. Problem solving courts are comprised of specially trained judges, probation officers, attorneys, coordinators, and treatment providers to provide wrap-around services and intensive monitoring to participants.
- 16: For more information on the Drug Treatment Court Act see 730 ILCS 166 et. al.
- 17: For more information on the Veterans and Servicemembers Court Treatment Act see 730 ILCS 167 et. al.
- 18: For more information on the Mental Health Court Treatment Act see 730 ILCS 168 et. al.

Assault and Battery

Overview: Assault and battery are often used interchangeably but are distinct concepts in the law.

ASSAULT

720 ILCS 5/12-1

Knowingly engage in conduct which places another in reasonable apprehension (fear) of receiving a battery

Class C misdemeanor

BATTERY

720 ILCS 5/12-3

Without legal justification, cause bodily harm to another person or make physical contact of an insulting or provoking nature

Class A misdemeanor

AGGRAVATED ASSAULT¹

720 ILCS 5/12-2

Aggravating factors include the location of the conduct, status of the victim, and use of certain instruments

Class A misdemeanor,
Class 4 or Class 3 felony

Assault is a step on the way to battery.

AGGRAVATED BATTERY²

720 ILCS 5/12-3.05

Aggravating factors include the severity of the harm done, status of the victim, location of the conduct, use of a firearm, use of another weapon or device, or other special circumstances

Class 3, 2, 1, or X felony

Additional more specific types of battery include domestic battery,³ aggravated domestic battery,⁴ battery of an unborn child, and aggravated battery of an unborn child.⁵

1: Factors that cause assault to be aggravated assault include:

Location: In the public way, public property, a public place of accommodation or amusement, or a sports venue, or in a church, synagogue, mosque, or other building, structure, or place used for religious worship.

Status of a victim: Assaulting someone for performing their official duties, to prevent them from performing their official duties, or in retaliation for performing those duties. Protected professions include peace officer, fireman, paramedic, EMT, private security, utility worker, correctional or probation officer, correctional institution employee, government employees, and sports officials.

Use of firearm, device, or motor vehicle: Uses a firearm/air rifle/ similar looking weapon other than discharging the weapon, discharges a firearm, conceals identity, uses laser sight on a firearm, or operates motor vehicle in a manner that places victim in a reason apprehension that they will be struck.

2: Factors that cause battery to be aggravated battery include:

The extent of the harm: Causes great bodily harm or permanent disability or disfigurement.

Victim with intellectual disabilities: Causes bodily harm or great bodily harm to a person with intellectual disabilities.

Location: In the public way, public property, a public place of accommodation or amusement, a sports venue, or a domestic violence shelter, or in a church, synagogue, mosque, or other building, structure, or place used for religious worship.

Status of the victim: Over the age of 60, pregnant or has physical disability, teacher or school employee, peace officer, community policing volunteer, fireman, private security officer, correctional institution employee, Department of Human Services employee supervising sexually dangerous persons, officer or employee of the State of Illinois, a unit of local government, or a school district, while performing his or her official duties, transit employee, taxi driver, merchant, or a nurse.

Use of a firearm: Discharges a firearm, machine gun, or firearm equipped with a silencer causing injury to the victim.

Uses a weapon other than firearm and causes injury.

Offenses based on certain other conduct: Delivers a controlled substance resulting in the user suffering great bodily harm or permanent disability, knowingly administers substance intending to cause harm, or knowingly attempts or causes correctional employee to come into contact with bodily fluids.

3: 720 ILCS 5/12-3.2 - A domestic battery is when the victim is a family or household member. The penalty for domestic battery is a Class A misdemeanor but can be enhanced to a felony (Class 2, 3, or 4) if the person has one of the enumerated priors in their background.

4: 720 ILCS 5/12-3.3 - An aggravated domestic battery is when the person knowingly causes great bodily harm, or permanent disability or disfigurement the victim. The penalty for aggravated domestic battery is a Class 2 felony.

5: 720 ILCS 5/12-3.1 - Battery of an unborn child is a class A misdemeanor while aggravated battery of an unborn child is a class 2 felony. This section does have an exception for providers performing an abortion.

Public Acts - 2024 Session of the 103rd Illinois General Assembly

In SPAC's role to provide fiscal and racial demographic impacts of proposed legislation, SPAC tracks bills filed in the Criminal Code of 2012, Code of Criminal Procedure of 1963, the Uniform Code of Corrections, the Illinois Vehicle Code, the Illinois Controlled Substances Act, Cannabis Control Act, the Methamphetamine Control and Community Protection Act, and other acts that impact the Illinois criminal justice system. In the 2024 session of the 103rd Illinois General Assembly, more than 70 public acts were signed relating to those sections.

This document provides information about 22 public acts. The bills described in this document revise definitions related to criminal offenses, create new criminal offenses, impact sentence credit for people incarcerated in prison, create task forces to study a specific aspect of the criminal justice system, or change how criminal justice records and data are stored. The acts were selected by reviewing each public act and determining if the act impacts the adult criminal justice system, and potentially SPAC's work, by having an impact to the Illinois Department of Corrections (IDOC), the courts, or data stored by criminal justice entities.

The public acts are divided into four different categories

- New/Revised offenses
 - Includes public acts that make revisions to existing crimes or programs and create new criminal offenses.
- Data and Record Keeping
 - Includes public acts that change requirements around data collection or how records are stored in the criminal justice system.
- Administrative
 - Includes public acts that make administrative changes the address the structure, operation, or other non-substantive changes to a criminal justice entity, procedure or function.
- Task Forces
 - Includes public acts that create a task force to study a specific aspect of the criminal justice system in Illinois

A full table of public acts passed in these sections is available at the end of this document.

New/Revised Offenses:

Public Act 103-0760 (SB2683)

740 ILCS 21/10, 740 ILCS 21/80

Expands the definition of course of conduct for the Stalking No Contact Order Act.

Allows for stalking no contact orders to prohibit respondents from using any electronic tracking system or acquiring tracking information to determine petitioner's location, movement, or travel pattern.

Effective: 1/1/25

Public Act 103-0765 (SB2934)

720 ILCS 5/12C-50

Clarifies that it is not a defense to a prosecution for hazing that the victim consented to or agreed to the hazing.

Effective: 1/1/2025

Public Act 103-0822 (HB4500)

Makes changes to various statutes, including, without limitation:

- Changing the name of unlawful use of a weapon to unlawful possession of a weapon.
- Changing the name of armed habitual criminal to unlawful possession of a firearm by a repeat felony offender.
- Updating related statutes to reflect the name changes.

No substantive changes were made to the offenses themselves.

Effective: 1/1/2025

Public Act 103-0825 (HB4623)

Makes changes to various statutes, including, without limitation:

- Clarifying that the definition of child pornography includes altered images but does not include images where the creator is the sole subject depicted.
- Creating the offense of obscene depiction of a purported child.
 - Receiving, obtaining, or accessing with intent to view:
 - A first offense:
 - Class 3 felony.
 - If child depicted is under 13, Class 2 felony.
 - Second or subsequent offense:
 - Class 2 felony.
 - If child depicted is under 13, Class 1 felony.
 - Reproducing, disseminating, offering to disseminate, or possessing with the intent to disseminate is a
 - First offense:
 - Class 1 felony.
 - If child depicted is under 13, Non-probationable Class X felony.
 - Second or subsequent offense:
 - Non-probationable Class X felony.
 - If child depicted is under 13, Non-probationable Class X Felony with a 9 year minimum sentence.
- Creating the offense of non-consensual dissemination of sexually explicit digitized depictions.
 - Non-consensual dissemination of sexually explicit digitized depictions is a Class 4 felony.

Effective: 1/1/2025

Public Act 103-0900 (SB2285)

720 ILCS 5/17-11.2

Creates the offense of airbag fraud, a Class A misdemeanor.

Effective: 8/9/24

Record Keeping:

Public Act 103-0657 (HB3241)

730 ILCS 5/5-8-8

Mandates the Illinois Sentencing Policy Advisory Council (SPAC) study and identify discriminatory sentencing across Illinois and make recommendations to the Governor and General Assembly regarding ways to remedy those practices.

Effective: 7/19/2024

Public Act 103-0702 (HB5285)

Makes changes to various statutes, including, without limitation:

- Clarifying that a withheld judgement is not considered a conviction, until that judgement is officially entered by the courts.

Changes in this public act impacts Second Chance probation for Cannabis Control Act, Controlled Substances Act, Methamphetamine Control and Community Protection Act, First Time Weapons Offense Probation, and Second Chance Probation.

Effective: 1/1/2025

Public Act 103-0717 (HB5465)

705 ILCS 405/5-915

Allows a victim of trafficking to have their juvenile court and law enforcement records vacated and expunged relating to events that the victim participated in as a result of human trafficking.

Effective: 1/1/2025

Public Act 103-0745 (HB5431)

Makes changes to various statutes, including, without limitation:

- Changing how incarcerated pregnant people are referred to in various statutes.
- Banning the use of restraints on pregnant committed persons and requiring the removal of electronic monitoring devices during labor.
- Providing that pregnant committed persons must receive information about their rights when incarcerated and additional supplemental nutrition when lactating or nursing.
- Requiring certain data reporting provisions for county sheriffs and the Illinois Department of Corrections on the use of restraints on pregnant committed persons, the number of pregnant committed persons in custody each year and the number of people who deliver or miscarry while in custody.

Effective: 1/1/2025

Public Act 103-0755 (SB2626)

Makes changes to various statutes, including, without limitation:

- Allowing for participants in problem-solving courts, pre-plea diversion programs, or post-plea diversion programs to file a petition for automatic expungement 61 days before anticipated dismissal of their case.

This public act impacts the Drug Treatment Court Act, the Veterans and Servicemembers Court Treatment Act, and the Mental Health Court Treatment Act.

Effective: 8/2/2024

Public Act 103-0787 (SB3463)

705 ILCS 405/5-915

Mandates that juvenile court judges schedule a date either on the date a minor's sentence ends or the date that the court enters an order committing the minor to the Department of Juvenile Justice to enter automatic expungement orders if there is no further delinquency in the two years after the case is closed.

Effective: 1/1/25

Administrative Changes:

Public Act 103-0602 (HB4621)

Makes changes to various statutes, including, without limitation:

- Establishing the Office of Statewide Pretrial Services to provide pretrial services in counties without their own local pretrial services office.
- Providing that the Office of Statewide Pretrial Services must develop, establish, adopt, and enforce uniform standards for pretrial services in this State. Transfers certain powers from the Illinois Supreme Court to the Office of Statewide Pretrial Services.

Effective: 7/1/2024

Public Act 103-0609 (HB5495)

Make changes to various statutes, including, without limitation:

- Requiring the Illinois State Police Division of Criminal Investigation to liaise with all federal law enforcement partners on criminal investigations, intelligence, information sharing, and national security planning and response.
- Requiring schools to report to the Illinois State Board of Education any incidents involving drugs or firearms.
- Requiring the Illinois State Police to create the statewide arsonist database.
- Other administrative changes to various funds administered by ISP.

Effective: 7/1/24

Public Act 103-0728 (HB4409)

730 ILCS 190/20

Changes how participants are referred to in the Adult Redeploy Illinois (ARI) authorizing statute.

Adds two seats to the ARI Oversight Board for former participants in ARI-funded programs.

Effective: 1/1/2025

Public Act 103-0782 (SB2803)

15 ILCS 335/4 & 15 ILCS 335/12

Specifies the procedure for the Secretary of State to issue Illinois Identification Cards to people committed to the Department of Corrections, Department of Juvenile Justice, Federal Bureau of Prisons in Illinois, or county jails/departments of corrections.

Effective: 8/6/24

Public Act 103-0789 (HB0277)

625 ILCS 5/6-308

Authorizes Clerks of the Court to send text message and email notifications whenever a person fails to appear for traffic violations.

Effective: 1/1/25

Public Act 103-0875 (SB0426)

730 ILCS 5/3-9-2.1

Authorizes the Department of Juvenile Justice (DJJ) to establish emerging adult programs for persons aged 18 to 22 committed to the Department of Corrections (DOC) and allows DOC to transfer the emerging adults to DJJ for those programs.

Effective: 1/1/2025

Public Act 103-0949 (SB3201)

20 ILCS 2605/2605-51, 50 ILCS 705/7, & 50 ILCS 705/10.25

Mandates that every three years the Illinois State Police must provide training for its officers on the nature of autism spectrum disorders and appropriately responding to individuals with autism spectrum disorders.

Mandates that the Illinois Law Enforcement Training Standards Board develop or approve a course to assist law enforcement officers in identifying and appropriately responding to individuals with autism spectrum disorders.

Effective: 1/1/25

Public Act 103-0988 (SB3405)

55 ILCS 5/5-1189

Authorizes counties to use funds designated by law for transportation purposes to fund rides for persons to attend problem-solving courts.

Effective: 1/1/25

Public Act 103-1037 (SB3713)

Makes changes to various statutes, including, without limitation:

- Authorizing the release of juvenile law enforcement reports for the Crime Victims Compensation Act.
- Changing definition of applicant, victim, pecuniary loss, dwelling, dating relationship, medical facility, mental health provider, and independent medical evaluation for the Crime Victims Compensation Act.
- Preventing compensation to an applicant while they are incarcerated or if they were criminally responsible or an accomplice to the crime upon which a claim is based.

Effective: 8/9/24

Task Forces:

Public Act 103-0798 (HB2323)

20 ILCS 3930/7, & 20 ILCS 3930/7.11

Creates the Uniform Statewide Crime Statistics Task Force.

Effective: 1/1/2025

Public Act 103-0982 (SB3353)

Creates the Community-Based Corrections Task Force.

Effective: 8/9/2024

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Risk and Needs Assessment Roadmap

Pretrial			Probation		Incarceration				Post-Release Supervision
Virginia Pretrial Risk Assessment Instrument - Revised (VPRAI-R)	Public Safety Assessment (PSA)	Pretrial Assessment Tool (PAT)	Community Supervision Screening Tool (CSST)	Community Supervision Tool (CST)	Prison Screening Tool (PST)	Prison Intake Tool (PIT)	Supplemental Reentry Tool (SRT)	Reentry Tool (RT)	Community Supervision Tool (CST)

	Pretrial			Probation	
	Virginia Pretrial Risk Assessment Instrument - Revised (VPRAI-R)	Public Safety Assessment (PSA)	Pretrial Assessment Tool (PAT)	Community Supervision Screening Tool (CSST)	Community Supervision Tool (CST)
Developed by	Virginia Department of Criminal Justice Services	Arnold Ventures	University of Cincinnati-ORAS*	University of Cincinnati-ORAS*	
Purpose	Measure Risk of Failure to Appear and Risk of Arrest for New Criminal Conduct Before Trial			Make an Initial Determination of Risk Level	Identify Risk Level and Treatment Needs to Reduce Recidivism
Interview	15 Minutes	No Interview Required	20 Minutes	5 to 10 Minutes	40 to 50 Minutes
Domains	Active Cases, Current Offense, Pending Cases, Criminal History, Prior Failures to Appear, Employment, History of Substance Abuse	Age, Current Offense, Pending Charges, Criminal History, Prior Sentence to Incarceration, Prior Failures to Appear	Criminal History, Employment, Residential Stability, Substance Abuse	Prior Criminal Convictions, Employment, Neighborhood Stability, Criminal Associations	Criminal History, Education, Employment and Finances, Family and Social Support, Substance Abuse, Neighborhood Factors, Antisocial Associations and Attitudes, and Behavioral Problems

*ORAS is the Ohio Risk Assessment System, developed by the University of Cincinnati's Corrections Institute



Risk and Needs Assessment Roadmap

Pretrial			Probation		Incarceration				Post-Release Supervision
Virginia Pretrial Risk Assessment Instrument - Revised (VPRAI-R)	Public Safety Assessment (PSA)	Pretrial Assessment Tool (PAT)	Community Supervision Screening Tool (CSST)	Community Supervision Tool (CST)	Prison Screening Tool (PST)	Prison Intake Tool (PIT)	Supplemental Reentry Tool (SRT)	Reentry Tool (RT)	Community Supervision Tool (CST)

	Incarceration				Post-Release Supervision
	Prison Screening Tool (PST)	Prison Intake Tool (PIT)	Supplemental Reentry Tool (SRT)	Reentry Tool (RT)	Community Supervision Tool (CST)
Developed By	University of Cincinnati - ORAS*				University of Cincinnati - ORAS*
Purpose	Make Initial Determination of Risk Level	Identify Risk Level and Treatment Needs to Reduce Recidivism	Measure Risk to Recidivate	Measure Risk to Recidivate	Identify Risk Level and Treatment Needs to Reduce Recidivism
Interview	5 to 10 Minutes	40 to 50 Minutes	20 to 30 Minutes	30 to 45 Minutes	40 to 50 Minutes
Domains	Employment at Arrest, Longest Employment Prior to Arrest, Housing Prior to Arrest, Stability of Housing Prior to Incarceration	Age, Criminal History, Education, Employment and Finances, Substance Abuse, Criminal Lifestyle	Criminal History, Education, Employment, Social Support, Substance Use, Mental Health, Criminal Lifestyle	Age, Criminal History, Social Bonds, Criminal Attitudes	Criminal History, Education, Employment and Finances, Family and Social Support, Substance Abuse, Neighborhood Factors, Antisocial Associations and Attitudes, and Behavioral Problems

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