



# **YOUTHFUL PAROLE ACT TECHNICAL AND TIMING FIX**

**Ensure people can have their youthful parole cases reviewed by the Prisoner Review Board when they are eligible.**

## **Why this is a Problem:**

The **Youthful Parole Act** creates opportunities for a parole hearing after eligible persons have served a certain number of years. The Act allows a person to start the process of preparing for parole review by filing a petition three years before a hearing takes place. If appropriately filed, the Prisoner Review Board sets a parole hearing date three years from the date it received the petition. The Act also provides that one year before the hearing, counsel is appointed for the person and the committing county's State's Attorney, and the victim or family of the victim is notified.

**Sometimes a person is already eligible for a youthful parole hearing when they file a petition, because they have already served the required number of years.** This has caused some confusion when they file a petition, whether the parole hearing can take place within a year or if they have to wait three years for a hearing. The Prisoner Review Board, at times, has interpreted this differently.

## **Solution:**

HB 2546 fixes that confusion. **HB 2546 is a technical and timing fix to the Youthful Parole Act.**

1. **The technical fix** corrects a drafting error by changing the subsection reference in Sec. 5-4.5-115(b) to (f) instead of (c), which corresponds with the correct statute.
2. **The timing fix clarifies when a hearing can be scheduled to reflect the legislative intent. It clarifies that a person can file a petition up to three years before becoming eligible, and the hearing can be scheduled only one year in advance.**

HB 2546 is necessary to make the statute clearer about when youthful parole hearings are scheduled. This bill clarifies that a person eligible to petition for youthful parole does not have to wait three years for a hearing, but only one year.

This bill does not change the current practice of the Prisoner Review Board. HB 2546 does not change any of the protections or shorten any of the timelines for State's Attorney or victim notification.