



Illinois Department of Corrections

Administrative Directive

Number: 01.07.455	Title: Release Under Supervision – Parole Violators	Effective: 2/1/2022
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Authorized by:	<i>[Original Authorized Copy on File]</i> Rob Jeffreys Director
Supersedes:	01.07.455 effective 5/1/2021

Authority: 730 ILCS 5/3-3-9, 3-3-10(b), 3-6-3 and 5-8-1	Related ACA Standards: 5-ACI-1E-01 – 03, 5-ACI-1F-01, 02, 06
Referenced Policies: 01.07.400 01.07.454	Referenced Forms: DOC 0633 – Six Months Mandatory Release of Parole Violators

I. **POLICY**

Individuals in custody who were sentenced under the law in effect prior to January 1, 1973, and individuals in custody sentenced under the law in effect after January 1, 1973, who were released on parole and have violated the conditions of parole shall be eligible for six months release under supervision.

II. **PROCEDURE**

A. **Purpose**

The purpose of this directive is to establish a written procedure for calculating six months release of parole violators.

B. **Applicability**

This directive is applicable to all correctional facilities within the Department.

C. **Facility Reviews**

A facility review of this directive is covered under the facility reviews conducted at least annually for Administrative Directive 01.07.400.

D. **General Provisions**

1. Individuals in custody sentenced under the law in effect prior to January 1, 1973, shall be released under supervision six months prior to the expiration of their maximum sentence of imprisonment less good time pursuant to 730 ILCS 5/3-6-3 if not paroled earlier by the Prisoner Review Board (PRB).
2. Individuals in custody sentenced under the law in effect on or after January 1, 1973, who have violated the conditions of their parole and who have been reconfined under 730 ILCS 5/3-3-9 shall be released under supervision six months prior to expiration of the term of reconfinement less good time provided for under 730 ILCS 5/3-6-3 if not paroled earlier by the PRB. To determine whether an individual in custody is eligible for the six months release under supervision provided for under 730 ILCS 5/3-3-10(b), compute the amount of time between the date of the parole violation to the original discharge date, including the parole period but excluding lost time as a parole violator, using the Six Months Mandatory Release of Parole Violators, DOC 0633. If the violation date is more than one year prior to the original discharge date, then the individual in custody must be released on the six months release under supervision.
3. Nothing shall require release under supervision of an individual in custody who has violated parole within six months of the date when release would otherwise be mandatory.

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NOTE: This procedure does not apply to individuals serving terms of mandatory supervised release (MSR).

4. The issuance of a parole violation warrant tolls the running of the sentence credit. Sentence credit shall not be resumed until the date a revocation hearing is held by the PRB. The individual shall then receive credit for time spent in custody which was not credited against another sentence. The period of time between the date the PRB declared the parolee a violator and the date of recustody or new sentence date shall be calculated as time lost as a parole violator. To determine how to apply sentence credit, the following shall control:
 - a. If the violator received a new sentence prior to his or her readmission to the Department, the custody time shall be credited to the new sentence and he or she shall receive credit on the original violation sentence from the date the new sentence was entered.
 - b. If the violator was returned as a technical violator without a new sentence, he or she shall receive credit for all custody time on the original violation sentence.
 - c. If the violator received a new sentence after his or her readmission to the Department, the custody time shall be credited to the original violation sentence and the violator shall receive credit on the new sentence from the date it was entered, unless otherwise ordered by the court.

5. The PRB may enter an order of reparole or offer a projected release date under the 1978 law for a parole violator. The release date may be prior to the projected mandatory release date calculated in Step 5 on the DOC 0633. Good time shall be credited only on the portion of the statutory parole term served in custody.
 - a. If the release date is prior to the maximum date calculated in Step 1 by reason of:
 - (1) Reparole, the discharge date shall be the date calculated in Step 2 and this shall negate Steps 3, 4, 5 and 6.
 - (2) A projected release date set by the PRB under the 1978 law, the discharge date shall be the aggregate of the projected release date and the full MSR term under 730 ILCS 5/5-8-1.
 - b. If the reparole or the release date set by the PRB is after the maximum date calculated in Step 1, but prior to the projected mandatory release date calculated in Step 5, perform the calculations in Steps 7 and 8 to determine the discharge date. This shall negate Steps 3, 4, 5 and 6.

E. Calculation

1. To determine the adjusted projected maximum date:
 - a. Record the custody date as established in the master record file and add the imposed maximum sentence less good conduct credits or statutory good time, whichever is applicable. Add or subtract any previous time lost or awarded (as defined in Administrative Directive 01.07.454, Step 1) to the projected maximum date. Add any parole violation lost time (date of violation and recustody, or new sentence date if it was after February 1, 1978).
 - b. If this is a sentence that was converted from statutory good time to day for day good conduct credits, then the calculation shall commence at this point by recording the maximum date as determined in Step 3 of Administrative Directive 01.07.454.

2. To determine the maximum date, record the adjusted projected maximum date as determined in

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Step 1 and add the appropriate parole term.

3. To determine the maximum date, record the maximum date as determined in Step 2 and subtract the six months mandatory release term.
4. To determine time left to serve:
 - a. Record the maximum date as determined in Step 3. Check the projected maximum date as determined in Step 1 to determine the following:
 - (1) If the projected maximum date as determined in Step 1 is after the recustody or the new sentence date, the maximum date as determined in Step 1 shall be recorded.
 - (2) If the projected maximum date as determined in Step 1 is prior to the recustody date in a technical violator case, the recustody date shall be recorded.
 - (3) If the projected maximum date as determined in Step 1 is prior to the new sentence date, the new sentence date shall be recorded.
 - b. Subtract the date to be used as determined in Paragraph II.E.4.a., (1), (2) or (3), whichever is applicable. Subtract the good conduct credits, which shall be one half of time left to serve.
5. To determine the projected mandatory release date, record the appropriate date as determined in either Paragraph II.E.4. a., (1), (2) or (3) in Step 4 and add the time left to serve as determined in Step 4.
6. To determine the discharge date, record the projected mandatory release date as determined in Step 5 and add the six months mandatory release term.

NOTE: Steps 7 and 8 shall be calculated only if Paragraph II.D.5.b. applies.

7. To determine good conduct credits, record the release date in a technical violator case and subtract the maximum or recustody date determined in Step 1, whichever is later. In a new sentence violator case, subtract the new sentence date or the maximum date determined in Step 1, whichever is later.
8. To determine the discharge date, record the maximum date determined in Step 2 and subtract good conduct credits as determined in Step 7.

NOTE: The individual in custody shall be given a copy of the DOC 0633.