

SENTENCING

A sentencing hearing will generally be held 30 days after the defendant pleads guilty or was found guilty. Before the hearing, the Probation Department may prepare a Pre-Sentence Investigation (PSI). The PSI discusses the defendant's life, employment history, criminal record, and includes a recommendation for a specific sentence, and a Victim Impact Statement. The Victim Impact Statement is sent to the victim. The statement requests the victim to describe any effects the offense has had on their behavior, if there were any personal injuries, and if there was a financial loss. If a financial loss is claimed, bills and/or receipts, along with the name of the insurance company handling the matter, are to be included. Victim Impact Statements are read by the judge before a sentence is determined.

RESTITUTION

Restitution is the payment of some or all of your losses suffered as a direct result of the crime. To receive restitution, the defendant must have pled guilty or been found guilty; you must submit all bills, receipts, and forms that are requested; and the judge must order restitution. The defendant's probation officer monitors restitution payments. If the judge ordered restitution and you have not been receiving payments, contact the Circuit Clerk's Office.

RETURN OF PROPERTY

Property may be released 30-60 days after the defendant has been sentenced, if there is no appeal. If the case is appealed, it could be much longer. In certain situations where the property is needed (e.g., wallet or car) by the victim, the State's Attorney may release the property after it has been photographed by the Police Department. If your property is being held for evidence, contact the Victim/Witness Service to help arrange for its return.

PROBATION AND CONDITIONAL DISCHARGE

When a defendant is placed on probation or conditional discharge, they have to follow certain conditions. These conditions include: not violating any criminal statute, reporting to such person or agency as directed by the court, not possessing a firearm or other dangerous weapon, not leaving the state without permission from the court, and permitting the probation officer to visit them at home or elsewhere.

The court may also impose additional conditions such as counseling or psychiatric treatment, or treatment for drug addiction or alcoholism; performing public service work; or paying restitution. In McLean County, persons placed on Conditional Discharge are not required to report to the Probation Office but are to follow all other conditions. Defendants placed on maximum probation report twice a month to their probation officer, medium probationers report once a month, and minimum probationers report once every three months. All probationers are reassessed every six months.

INTENSIVE PROBATION

When a defendant is placed on intensive probation, the same conditions of probation apply; however, the contacts between the defendant and probation officer—along with restrictions placed on the defendant—greatly increase. Intensive probation is a one-year sentence and consists of three phases. Phase one includes the first three months. The defendant's curfew is 7 pm to 7 am, and the probation officer contacts the defendant each night. Phase two is the fourth through ninth months. The curfew is set at 10 pm to 7 am, and the probation officer contacts the defendant three times a week. Phase three consists of months 10, 11, and 12. Month 10 has a curfew of 11 pm to 7 am, month 11 has a curfew of 12 pm to 7 am, and month 12 has no curfew. During phase three, the probation officer contacts the defendant twice a week. Also, during all three phases, the defendant must make an office visit once a week.

COURT SUPERVISION

When a defendant is sentenced to court supervision, the court may impose conditions relating to the nature of the offense or the rehabilitation of the defendant. Such conditions may include: the payment of a fine, counseling or psychiatric treatment, treatment for drug addiction or alcoholism, performing public service work, or paying restitution. At the conclusion of the period of supervision, if the court determines that the defendant has successfully complied with all of the conditions of supervision, the court shall discharge the defendant and enter a judgment dismissing the charges. Also, two or five years after discharge and dismissal (depending on the violation), a person may have their record or arrest removed as provided by law.

DAY FOR DAY CREDIT

Day for day credit means a reduction of sentence based on good behavior. The prisoner shall receive one day good behavior allowance for each day served in the county jail.

MANDATORY SUPERVISED RELEASE

When a defendant is placed on mandatory supervised release or parole, he or she has already served time in prison. When they are released, the Department of Corrections retains custody of the parolee and assigns a parole officer to supervise them. The supervising officer monitors the progress of the parolee, advises them, and assists them in adjusting to community life. The officer also determines if the parolee is following the rules and regulations of the Prisoner Review Board. Prisoners are eligible for mandatory supervised release when they have served the full term of their sentence less time credit for good behavior. Prisoners are usually given day-for-day credit for good behavior, which results in decreasing their sentence by one-half of the original time.

COMMUNICATING WITH A WITNESS

If you are threatened or intimidated, report it to the Police Department immediately and to the State's Attorney's Office as soon as possible. It is a serious crime for a defendant to threaten a victim or witness, and steps will be taken to protect you.

NO CONTACT

A No-Contact order is issued by the judge. The order instructs the defendant to have no contact with the victim or witnesses involved in a case. An order of no-contact can be a condition of a defendant's bond or of a defendant's sentence. If the order is a condition of bond, it is in effect until the case has been completed. If the order is a condition of a sentence, it is in effect for the duration of the sentence. In either case if you are sent an order of no-contact and the defendant contacts you, notify the police immediately and present the court order. Also, contact the Victim/Witness Service as soon as possible.

This is a brief explanation of how certain areas of our criminal justice system operate. It may not explain how a particular case was handled. Further information may be obtained by calling the Victim/Witness Service at (309) 888-5415.

**THE VICTIM/WITNESS SERVICE WOULD LIKE
TO THANK YOU FOR YOUR TIME AND
COOPERATION ON THIS CASE.**

DIRECTORY

General Information

Circuit Clerk's Office	888-5320
Victim/Witness Service	888-5415
State's Attorney	888-5400
Adult Court Services	888-5360
Juvenile Court Services	888-5370
Parole Office	(800) 666-6744
McLean County Jail	5065

Police Information

Bloomington Police	434-2594
Normal Police	454-9535
McLean Co. Sheriff's Dept.	888-5019
ISU Police	438-8631

Correctional Centers

Dwight	(815) 584-2806
Graham	(217) 532-6961
Lincoln	(217) 735-5411
Logan	(217) 735-5581
Pontiac	(815) 842-2816
Sheridan	(815) 496-2181
Statesville	(815) 727-3607
St. Charles	(630) 584-0506
Victim Services Unit... (217) 522-2666 Ext. 4006	
Toll Free	(877) 776-0755

McLean County Victim/Witness Service

William A. Yoder
State's Attorney

Law & Justice Center
104 W. Front St., Room 605
PO Box 2400

Bloomington, Illinois 61702-2400
(309) 888-5400

Explaining Sentences

Bloomington man sentenced to 5 years for Armed robbery...

Probation ordered in DUI case
A 39-year-old Bloomington man has been fined \$1,500 and sentenced to two years probation in McLean County Circuit Court Tuesday.

Burglary - \$1,200 fine and 60 days in jail
A Bloomington man for two counts of burglary. The man received 60 days in McLean County Jail.

Fine, probation ordered in DUI case
A 29-year-old Bloomington man has been fined \$500 and sentenced to two years probation.

Deceptive practice
A Bloomington woman whose address was listed as being on Market St. was fined \$370 and sentenced to a year's conditional discharge for writing two bad check totaling \$600 at Kroger. She was also ordered to pay restitution.

McLean County

Felonies

Obstruction - 18 months conditional discharge
A 19-year-old Normal received 18 months conditional discharge for obstructing by concealing a Bloomington man's handgun from police to prevent apprehension on another aggravated assault charge.

2 Given Prison

Battery - 2 years probation
A Bloomington man was sentenced to two years probation for aggravated battery and possession of a firearm.

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