

## **SANCTIONS FOR VIOLATIONS**

### **725 ILCS 5/110-6**

In response to a violation described in this subsection, **the court may issue a warrant specifying that the defendant must appear before the court for a hearing for sanctions and may not be released by law enforcement before that appearance.**

725 Ill. Comp. Stat. Ann. 5/110-6

(d) When a defendant appears in court pursuant to a summons or warrant issued in accordance with Section 110-3 or after being arrested for an offense that is alleged to have occurred during the defendant's pretrial release, the State may file a verified petition requesting a hearing for sanctions.

(e) During the hearing for sanctions, the defendant shall be represented by counsel and have an opportunity to be heard regarding the violation and evidence in mitigation.

The State shall bear the burden of proving by clear and convincing evidence that:

- (1) the defendant committed an act that violated a term of the defendant's pretrial release;
- (2) the defendant had actual knowledge that the defendant's action would violate a court order;
- (3) the violation of the court order was willful; and
- (4) the violation was not caused by a lack of access to financial monetary resources.

(f) Sanctions for violations of pretrial release may include:

- (1) a verbal or written admonishment from the court;
- (2) imprisonment in the county jail for a period not exceeding 30 days;
- (3) (Blank); or
- (4) a modification of the defendant's pretrial conditions.