

**APPENDIX A**  
**DETAINABLE OFFENSES**

Offense	Statutory Citation	Subsection of 725 ILCS 5/110-6.1(a) that makes offense detainable	Notes
Aggravated animal cruelty	510 ILCS 70/3.02	(6.5) Animal Cruelty	
Aggravated arson	720 ILCS 5/20-1.1	(1.5) Forcible Felony	
Aggravated battery causing great bodily harm/permanent disability/disfigurement	720 ILCS 5/12-3.05(a)(1)	(1.5) Forcible Felony	
Aggravated battery to a child (causing great bodily harm)	720 ILCS 5/12-3.05 (b)(1)	(1) Non-Probationable Felony <i>or</i> (1.5) Forcible Felony	<b>ONLY <i>great bodily harm</i></b> under (b)(1), NOT <i>bodily harm</i> under (b)(2)
Aggravated battery to a senior citizen (causing great bodily harm)	720 ILCS 5/12-3.05 (a)(4)	(1) Non-Probationable Felony <i>or</i> (1.5) Forcible Felony	Non-probationable pursuant to 730 ILCS 5/5-5-3(c)(2)(I)
Aggravated battery (deadly weapon other than discharge of firearm)	720 ILCS 5/12-3.05(f)(1)	(6) Gun Offense	
Aggravated battery to person w/ severe or profound intellectual disability (causing great bodily harm)	720 ILCS 5/12-3.05 (b)(1)	(1) Non-Probationable Felony <i>or</i> (1.5) Forcible Felony	<b>ONLY <i>great bodily harm</i></b> under (b)(1), NOT <i>bodily harm</i> under (b)(2)

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Aggravated battery w/ firearm	720 ILCS 5/12-3.05(e)	(1) Non-Probationable Felony	
Aggravated criminal sexual abuse	720 ILCS 5/11-1.60	(5) Sex Offense	
Aggravated criminal sexual assault	720 ILCS 5/11-1.30	(1.5) Forcible Felony <i>or</i> (5) Sex Offense	
Aggravated discharge of a firearm	720 ILCS 5/24-1.2	(6) Gun Offense	
Aggravated discharge of a machine gun or firearm equipped with a silencer	720 ILCS 5/24-2-5	(6) Gun Offense	
Aggravated domestic battery	720 ILCS 5/12-3.3	(4) Domestic Offense	
Aggravated DUI (4 <sup>th</sup> violation or greater)	625 ILCS 5/11-501(d)(2)(C-E)	(1) Non-Probationable Felony	
Aggravated DUI (while driving school bus with passengers)	625 ILCS 5/11-501(d)(1)(B)	(6.5) DUI Offense	
Aggravated DUI (accident causing great bodily harm/permanent disability/disfigurement)	625 ILCS 5/11-501(d)(1)(C)	(6.5) DUI Offense	

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Aggravated DUI (prior reckless homicide conviction)	625 ILCS 5/11-501(d)(1)(D)	(6.5) DUI Offense	
Aggravated DUI (accident causing death)	625 ILCS 5/11-501(d)(1)(F)	(6.5) DUI Offense	
Aggravated DUI (accident resulting in bodily harm to child under 16)	625 ILCS 5/11-501(d)(1)(J)	(6.5) DUI Offense	
Aggravated kidnapping	720 ILCS 5/10-2	(1.5) Forcible Felony	
Aggravated possession of a stolen firearm	720 ILCS 5/24-3.9	(6) Gun Offense	<b>ONLY if non-probationable</b> (i.e. 6 or more guns)
Aggravated possession, procurement, transportation, storage or delivery of anhydrous ammonia	720 ILCS 646/25(b)	(1) Non-Probationable Felony	
Aggravated robbery	720 ILCS 5/18-1	(1.5) Forcible Felony	
Aggravated stalking	720 ILCS 5/12-7.4	(2) Stalking Offense	Note: must allege pre-trial release poses a real and present threat to the safety of a victim of the alleged offense AND denial of release is necessary to prevent fulfillment of the threat upon which the charge is based.

Offense	Statutory Citation	Subsection of 725 ILCS 5/110-6.1(a) that makes offense detainable	Notes
Aggravated unlawful restraint	720 ILCS 5/10-3.1	(6) Specified Offense	
Aggravated unlawful use of weapon	720 ILCS 5/24-1.6	(6) Gun Offense	<b>ONLY if non-probationable</b>
Aggravated vehicular hijacking	720 ILCS 5/18-4	(1) Non-Probationable Felony	
Animal torture	510 ILCS 70/3.03	(6.5) Animal Cruelty	
Armed habitual criminal	720 ILCS 5/24-1.7	(6) Gun Offense	
Armed robbery	720 ILCS 5/18-2	(1.5) Forcible Felony	
Arson	720 ILCS 5/20-1	(1.5) Forcible Felony	
<b>ATTEMPT</b> of any offense listed in subsection 1 through 6.5 of 720 ILCS 5/110-6.1(a)	720 ILCS 5/8-4	(7) Attempt	
Attempt murder	720 ILCS 5/8-4	(7) Attempt	
Burglary (when force used against another person)	720 ILCS 5/19-1	(1.5) Forcible Felony	<b>ONLY if force used against another person</b>

Offense	Statutory Citation	Subsection of 725 ILCS 5/110-6.1(a) that makes offense detainable	Notes
Calculated criminal drug conspiracy	720 ILCS 570/405(a)	(1) Non-Probationable Felony	
Cannabis trafficking	720 ILCS 550/5.1	(1) Non-Probationable Felony	
Child abduction	720 ILCS 5/10-5	(6) Specified Offense	
Child photography by sex offender	720 ILCS 5/11-24	(5) Sex Offense	
Child pornography	720 ILCS 5/11-20.1	(5) Sex Offense	
Class 1 rule	730 ILCS 5/5-5-3(c)(2)(F)	(1) Non-Probationable Felony	A charge for a class 1 offense when the defendant has previously been convicted of a class 1 or greater within 10 years is non-probationable
Class 2 rule	730 ILCS 5/5-5-3(c)(2)(F-3)	(1) Non-Probationable Felony	A charge for a class 2 or greater gun case or sex case when the defendant has previously been convicted of a class 2 or greater within 10 years is non-probationable
Controlled substance trafficking	720 ILCS 570/401.1	(1) Non-Probationable Felony	
Convicted child sex offender offenses	720 ILCS 5/11-9.3	(5) Sex Offense	
Criminal sexual abuse	720 ILCS 5/11-1.50	(5) Sex Offense	
Criminal sexual assault	720 ILCS 5/11-1.20	(1.5) Forcible Felony <i>or</i> (5) Sex Offense	

Offense	Statutory Citation	Subsection of 725 ILCS 5/110-6.1(a) that makes offense detainable	Notes
Cruel treatment of an animal (subsequent offense)	510 ILCS 70/3.01	(6.5) Animal Cruelty	<b>ONLY felony offenses</b> (subsequent offenses)
Custodial sexual misconduct	720 ILCS 5/11-9.2	(5) Sex Offense	
Disarming a peace officer	720 ILCS 5/31-1a(a)	(1) Non-Probationable Felony	Non-probationable pursuant to 730 ILCS 5/5-5-3(c)(2)(X). <b>Only completed offenses</b> – not attempts
Domestic battery	720 ILCS 5/12-3.2	(4) Domestic Offense	
Drug-induced homicide	720 ILCS 5/9-3.3	(1) Non-Probationable Felony	
Endangering life or health of a child (subsequent offense <i>or</i> proximate cause of death)	720 ILCS 5/12C-5	(6) Specified Offense	<b>ONLY felony offenses</b>
Failure to report sexual abuse of a child	720 ILCS 5/11-9.1B	(5) Sex Offense	
Firearms trafficking	720 ILCS 5/24-3B	(6) Gun Offense	
First degree murder	720 ILCS 5/9-1	(1.5) Forcible Felony	
Grooming	720 ILCS 5/11-25	(5) Sex Offense	

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Gunrunning	720 ILCS 5/24-3A	(6) Gun Offense	
Harmful material	720 ILCS 5/11-21	(5) Sex Offense	
Hate crime	720 ILCS 5/12-7.1	(6) Specified Offense	
Home invasion	720 ILCS 5/19-6	(1.5) Forcible Felony	
Indecent solicitation of a child	720 ILCS 5/11-6	(5) Sex Offense	
Indecent solicitation of an adult	720 ILCS 5/11-6.5	(5) Sex Offense	
Involuntary manslaughter	720 ILCS 5/9-3	(6) Specified Offense	
Involuntary servitude	720 ILCS 5/10-9(b)	(6) Trafficking Offense	
Involuntary sexual servitude of a minor	720 ILCS 5/10-9(c)	(6) Trafficking Offense	
Kidnapping	720 ILCS 5/10-1	(1.5) Forcible Felony	

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Manufacture, sale or transfer of armor piercing bullets, etc.	720 ILCS 5/24-2.2	(6) Gun Offense	
Methamphetamine conspiracy	720 ILCS 646/65	(1) Non-Probationable Felony	<b>ONLY non-probationable offenses</b>
Methamphetamine trafficking	720 ILCS 646/56	(1) Non-Probationable Felony	
Money laundering (greater than \$500,000)		(1) Non-Probationable Felony	Non-probationable pursuant to 730 ILCS 5/5-5-3(c)(2)(BB)
Non-consensual dissemination of private sexual images	720 ILCS 5/11-23.5	(5) Sex Offense	
Participating in methamphetamine manufacturing	720 ILCS 646/15	(1) Non-Probationable Felony	<b>ONLY non-probationable offenses</b>
Patronizing a minor engaged in prostitution	720 ILCS 5/11-18.1	(5) Sex Offense	
Place of worship arson	720 ILCS 5/20-1(b-5)	(1) Non-Probationable Felony	Non-probationable pursuant to 730 ILCS 5/5-5-3(c)(2)(Q); Note: Simple Arson is a forcible felony so charge that, too.
Permitting sexual abuse of a child	720 ILCS 5/11-9.1A	(5) Sex Offense	
Posting identifying info on pornographic website	720 ILCS 5/11-23	(5) Sex Offense	



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Predatory criminal sexual assault of a child	720 ILCS 5/11-1.40	(1.5) Forcible Felony <i>or</i> (1) Non-Probationable Felony <i>or</i> (5) Sex Offense	
Promoting juvenile prostitution	720 ILCS 5/11-14.4	(5) Sex Offense	
Promoting prostitution	720 ILCS 5/11-14.3	(5) Sex Offense	
Reckless discharge of a firearm	720 ILCS 5/24-1.5	(6) Gun Offense	
Reckless homicide	720 ILCS 5/9-3	(6) Specified Offense	
Residential arson	720 ILCS 5/20-1(b)	(1) Non-Probationable Felony	Non-probationable pursuant to 730 ILCS 5/5-5-3(c)(2)(Q); Note: Simple Arson is a forcible felony so charge that, too.
Residential burglary	720 ILCS 5/19-3	(6) Specified Offense	
Robbery	720 ILCS 5/18-1	(1.5) Forcible Felony	
Second degree murder	720 ILCS 5/9-2	(1.5) Forcible Felony	

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Sexual exploitation of a child	720 ILCS 5/11-9.1	(5) Sex Offense	
Sexual misconduct w/ person w/ disability	720 ILCS 5/11-9.5	(5) Sex Offense	
Sexual predator or child sex offender in/near park	720 ILCS 5/11-9.4-1	(5) Sex Offense	
Sexual relations within families	720 ILCS 5/11-11	(5) Sex Offense	
Solicitation to meet a child	720 ILCS 5/11-6.6	(5) Sex Offense	
Stalking	720 ILCS 5/12-7.3	(2) Stalking	Note: must allege pre-trial release poses a real and present threat to the safety of a victim of the alleged offense AND denial of release is necessary to prevent fulfillment of the threat upon which the charge is based.
Streetgang criminal drug conspiracy	720 ILCS 570/405.2	(1) Non-Probationable Felony	
Threatening a public official	720 ILCS 5/12-9	(6) Specified Offense	
Trafficking in persons	720 ILCS 5/10-9(d)	(6) Trafficking Offense	

<b>Offense</b>	<b>Statutory Citation</b>	<b>Subsection of 725 ILCS 5/110-6.1(a) that makes offense detainable</b>	<b>Notes</b>
Traveling to meet a child	720 ILCS 5/11-26	(5) Sex Offense	
Treason	720 ILCS 5/30-1	(1.5) Forcible Felony	
Unlawful delivery of cannabis	720 ILCS 550/5(g)	(1) Non-Probationable Felony	<b>ONLY non-probationable offenses</b>
Unlawful delivery of a controlled substance	720 ILCS 570/401	(1) Non-Probationable Felony	<b>ONLY non-probationable offenses</b>
Unlawful delivery of a controlled substance to person under 18, near school, park, church, etc.	720 ILCS 570/407	(1) Non-Probationable Felony	<b>ONLY non-probationable offenses AND must prove: no condition can mitigate the safety threat AND serious risk for failure to appear in court</b>
Unlawful delivery of methamphetamine	720 ILCS 646/55	(1) Non-Probationable Felony	<b>ONLY non-probationable offenses</b>
Unlawful possession of methamphetamine	720 ILCS 646/60	(1) Non-Probationable Felony	<b>ONLY non-probationable offenses</b>
Unlawful possession of methamphetamine precursor	720 ILCS 646/20	(1) Non-Probationable Felony	<b>ONLY non-probationable offenses</b>
Unlawful purchase of a firearm	720 ILCS 5/24-3.5	(6) Gun Offense	
Unlawful sale of firearms by liquor licensee	720 ILCS 5/24-3.4	(6) Gun Offense	

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Unlawful sale or delivery of firearms	720 ILCS 5/24-3	(6) Gun Offense	
Unlawful sale or delivery of firearms on school grounds	720 ILCS 5/24-3.3	(6) Gun Offense	
Unlawful use or possession of weapon by felon	720 ILCS 5/24-1.1	(6) Gun Offense	6.1(a) provides that only non-probationable are detainable, however, <u>all</u> are non-probationable
Vehicular hijacking	720 ILCS 5/18-3	(1) Non-Probationable Felony	Non-probationable pursuant to 730 ILCS 5/5-5-3(c)(2)(K)
Vehicular invasion	720 ILCS 5/18-6	(1.5) Forcible Felony	
Violation of civil no contact order	720 ILCS 5/12-3.8	(3) Protective Order Offense	
Violation of order of protection	720 ILCS 5/12-3.4	(3) Protective Order Offense	
Violation of stalking no contact order	720 ILCS 5/12-3.9	(3) Protective Order Offense	