

House Bill 2291
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subchapter C, Chapter 141, Human Resources Code, is amended by adding Section 141.055 to read as follows:

Sec. 141.055. STUDY OF VICTIM-OFFENDER MEDIATION PROGRAMS FOR JUVENILE OFFENDERS; REPORT. (a) The commission shall conduct a study of established victim-offender mediation programs for juvenile offenders in this state for the purpose of determining the potential effect on the state's juvenile justice system of establishing guidelines for and expanding the implementation of victim-offender mediation programs for juvenile offenders. The study must evaluate:

- (1) the methodology of established victim-offender mediation programs for juvenile offenders;
- (2) any reduction in recidivism for juvenile offenders who have successfully completed victim-offender mediation programs;
- (3) the success rates for the collection of restitution by juvenile probation departments and the fulfillment of restitution agreements by juvenile offenders; and
- (4) typical costs and funding sources for victim-offender mediation programs for juvenile offenders.

(b) Before conducting the study, the commission shall:

- (1) consult any relevant guidelines issued by the United States Department of Justice's Office for Victims of Crime; and
- (2) seek assistance from leading experts on victim-offender mediation programs in establishing parameters, information collection techniques, and reasonable legal

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Sec. 141.055. STUDY OF VICTIM-OFFENDER MEDIATION PROGRAMS FOR JUVENILE OFFENDERS; REPORT. (a) The commission shall conduct a study of established victim-offender mediation programs for juvenile offenders in this state for the purpose of determining the potential effect on the state's juvenile justice system of establishing guidelines for and expanding the implementation of victim-offender mediation programs for juvenile offenders. The study must include:

- (1) an evaluation of the number of juvenile probation departments that operate victim-offender mediation programs;
- (2) an evaluation of the number of juvenile probation departments that contract for the services of victim-offender mediation programs;
- (3) a comprehensive program description of victim-offender mediation programs that includes an evaluation of program eligibility criteria and the process for utilizing the mediation services;
- (4) an evaluation of the number of children served by victim-offender mediation programs annually, including individual data on referral offenses and demographic information for children served by victim-offender mediation programs;
- (5) an evaluation of the number of mediation agreements established in victim-offender mediation programs

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assumptions in evaluating victim-offender mediation programs for juvenile offenders.

(c) Experts from whom the commission may seek assistance under Subsection (b)(2) include:

(1) persons who have established and who currently operate victim-offender mediation programs;

(2) persons who direct national projects on victim-offender mediation; and

(3) professors of law or criminal justice who are employed by institutions of higher education, as defined by Section 61.003, Education Code.

(d) Not later than July 1, 2008, the commission shall provide a report describing the results of the study to each member of the legislature. The report must include:

(1) the estimated cost to the state and local governments of expanding the implementation and administration of victim-offender mediation programs for juvenile offenders;

(2) a review of the benefits to juvenile offenders and victims of participating in victim-offender mediation programs for juvenile offenders; and

(3) any recommendations for legislation establishing guidelines for and expanding the implementation and administration of victim-offender mediation programs for juvenile offenders in this state.

(e) This section expires December 1, 2008.

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annually; and

(6) the funding sources for victim-offender mediation programs and the cost to operate those programs.

(d) (b) Not later than January 1, 2009, the commission shall provide a report describing the results of the study to each member of the legislature. The report must include:

(1) the estimated cost to the state and local governments of expanding the implementation and administration of victim-offender mediation programs for juvenile offenders;

(2) a review of the benefits to juvenile offenders and victims of participating in victim-offender mediation programs for juvenile offenders; and

(3) recommendations for legislation establishing guidelines for and expanding the implementation and administration of victim-offender mediation programs for juvenile offenders in this state.

(c) This section expires January 31, 2009.

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SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007.

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Same as House version.

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