

BILL ANALYSIS

C.S.H.B. 1958
By: Edwards
Corrections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

According to data compiled by the Legislative Budget Board, from September 2006 to March 2008, of the 65,000 offenders released from Texas prisons, the release of almost 14,000 offenders, about 20 percent, was contingent on the completion of a specified rehabilitation program. During that same period, almost 7,000 offenders completed the assigned rehabilitative program earlier than anticipated but were ineligible for release because their target release date had not yet been reached. Currently, offenders who are required by the Board of Pardons and Paroles to complete a treatment program as a condition of release are assigned a program start date and a target release date based on an estimated completion date of the program. Offenders sometimes complete the requirements for release earlier than the estimated target release date set by the board but cannot be released, which leads to escalating costs and continued overcrowding in prisons.

Reducing parole process delays for offenders who have finished their rehabilitative programs earlier than the estimated target release date would help reduce the prison population. Granting the Texas Department of Criminal Justice (TDCJ) this additional authority could decrease the delay of time between program completion and release by up to 25 days, resulting in a shift of offenders from prison to parole supervision. The shift from incarceration to parole will result in a shift from a cost liability to a revenue enhancement for the state.

C.S.H.B. 1958 requires TDCJ, if an inmate successfully completes a TDCJ rehabilitation program specified or approved by a parole panel before the parole month established for the inmate, to promptly notify the parole panel for purposes of considering the inmate's immediate release.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1958 amends the Government Code to require the Texas Department of Criminal Justice (TDCJ), for an inmate who is required by a parole panel as a condition of release to complete a specific TDCJ rehabilitation program before release, to place the inmate in a program specified by the parole panel. The bill authorizes TDCJ to place the inmate in a different program than the specified program with the approval of the parole panel. The bill requires TDCJ, if an inmate successfully completes a TDCJ rehabilitation program specified or approved by a parole panel and satisfies all other conditions of release specified by the parole panel before the parole month established for the inmate, to promptly notify the parole panel for purposes of considering the inmate's immediate release. The bill authorizes a parole panel, if the panel determines that an inmate's release will not increase the likelihood of harm to the public, to release the inmate on parole at an earlier time than the parole period established for the inmate.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 1958 differs from the original by requiring the Texas Department of Criminal Justice (TDCJ), if an inmate successfully completes a TDCJ rehabilitation program specified or approved by a parole panel and satisfies all other conditions of release specified by the parole panel before the parole month established for the inmate, to promptly notify the parole panel for purposes of considering the inmate's immediate release, whereas the original requires a parole panel to specify a range of dates, based on the date the inmate is likely to have completed the specified program, during which TDCJ may release the inmate if the inmate successfully completes such a program and satisfies all other conditions of release. The substitute differs from the original by authorizing a parole panel to release an inmate on parole at an earlier time than the parole month established for the inmate, rather than during any applicable range of dates established by the parole panel as in the original, if the panel determines the release will not increase the likelihood of harm to the public. The substitute omits a provision in the original setting forth the requirements for the range of dates specified by the parole panel.