

BILL ANALYSIS

C.S.S.B. 1948
By: Hinojosa
Corrections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

People should not be released from prison without any kind of supervision, especially offenders who have served long terms. However, in 2008, 8,905 prisoners were discharged from prison with no parole supervision, and 5,124 of these inmates had been convicted of violent offenses, including homicide, robbery, and sexual assault against a child.

C.S.S.B. 1948 would allow the Board of Pardons and Paroles and the Texas Department of Criminal Justice to jointly conduct a study regarding the implementation of a supervised reentry program for inmates.

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

SECTION 1.

Defines Board and Department as it relates to this Act.

SECTION 2.

Requires the Board and Department to conduct a study regarding the implementation of a supervised reentry program for inmates nearing their date of discharge from the department.

In the study, the board and department will examine whether:

(1) a parole panel should be statutorily required to order the release of an inmate to a supervised reentry program if the inmate is eligible for release on parole but has not been released on parole or to mandatory supervision on the later of the following dates, as determined by the actual calendar time the inmate has served, without consideration of good conduct time:

(A) one year before the date on which the inmate will discharge the inmate's sentence; or

(B) the date on which the inmate will have served 90 percent of the inmate's sentence;

(2) the department should be required to make arrangements, to the extent practicable and before an inmate is discharged, for the inmate's supervised reentry into the community;

(3) the inmate's supervised reentry program should provide the inmate with skills necessary to make a transition from incarceration to the community, including providing the inmate with appropriate substance abuse treatment, counseling, and other social service programs;

(4) a parole panel releasing an inmate to a supervised reentry program should require the inmate as a condition of that release to participate fully in all treatment and counseling programs provided by the department;

(5) an inmate who fails to comply with a condition of release to a supervised reentry program should be subject to revocation or other sanctions in the same manner and under the same procedures as an inmate who fails to comply with conditions of release on parole or to mandatory supervision;

(6) the inmate's period of supervised reentry should be computed by subtracting from the term for which the inmate was sentenced the calendar time the inmate served on the sentence before the inmate's release to a supervised reentry program;

(7) the time served by the inmate on supervised reentry should be computed as additional calendar time the inmate served on the sentence; and

(8) an inmate released to a supervised reentry program should be monitored through a super-intensive supervision program.

SECTION 3.

The board and the department shall jointly report the results of the study conducted under this Act by May 10, 2010 to the governor, lieutenant governor, the speaker of the house of representatives, the Criminal Justice Legislative Oversight Committee, and the standing committees in the senate and the house of representatives that have primary jurisdiction over corrections.

SECTION 4.

Effective date: September 1, 2009.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The Committee Substitute removes language creating a supervised reentry program and instead requires the Board of Pardon and Paroles and the Texas Department of Criminal Justice to conduct a joint study of the implementation of a supervised reentry program for inmates nearing their date of discharge from the department.