

## **BILL ANALYSIS**

Senate Research Center  
81R14102 HLT-F

S.B. 1948  
By: Hinojosa  
Criminal Justice  
3/27/2009  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

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.

As more people are discharged from prison due to the decreasing number of parole grants, we must ensure that this increasing population is supervised for the purposes of public safety and decreased recidivism. S.B. 1948 is intended to reduce the Texas Department of Criminal Justice (TDCJ) population and ensure that people are not discharged from prison without parole and reentry services.

As proposed, S.B. 1948 requires an inmate to be released to a supervised reentry program during the final months of the inmate's sentence. The bill authorizes the Board of Pardons and Parole to put inmates under supervision either one year before the inmate's discharge date, or for the remaining 10 percent of the sentence after 90 percent of the inmate's sentence has been served. The bill sets forth the manner for computing the period of supervised reentry and the conditions of participation that may be imposed.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter E, Chapter 508, Government Code, by adding Section 508.1491, as follows:

Sec. 508.1491. SUPERVISED REENTRY PROGRAM. (a) Provides that this section applies to an inmate who is eligible for release on parole but who has not been released on parole or to mandatory supervision under this chapter before the date described by Subsection (b).

(b) Requires a parole panel to order the release of an inmate to the supervised reentry program described by Subsection (c) on the later of the following dates, as determined by the actual calendar time the inmate has served, without consideration of good conduct time: one year before the date on which the inmate will discharge the inmate's sentence, or the date on which the inmate will have served 90 percent of the inmate's sentence.

(c) Requires the Texas Department of Criminal Justice (TDCJ), to the extent practicable and before an inmate is discharged, to make arrangements for the inmate's supervised reentry into the community. Requires that the inmate's supervised reentry program 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.

(d) Requires a parole panel releasing an inmate under this section to impose conditions that require the inmate to participate fully in all treatment and counseling programs provided by TDCJ and authorizes a private panel to impose any other conditions determined by the panel to be appropriate. Provides that an inmate who fails to comply with a condition imposed under this subsection is 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 parole or mandatory supervision.

(e) Provides that the period of supervised reentry is computed by subtracting from the term for which the inmate was sentenced the calendar time served on the sentence. Provides that the time served on supervised reentry is computed as calendar time, except that if an inmate's participation in the supervised reentry program is revoked, the inmate does not receive credit against the remainder of the inmate's sentence for any time served in the program.

SECTION 2. Provides that the changes in law made by this Act apply to any inmate serving a term of confinement in TDCJ on or after the effective date of this Act, regardless of when the inmate was sentenced to serve that term.

SECTION 3. Effective date: September 1, 2009.