

1-1 By: Turner of Harris, et al. H.B. No. 1711
1-2 (Senate Sponsor - Whitmire)
1-3 (In the Senate - Received from the House April 27, 2009;
1-4 April 27, 2009, read first time and referred to Committee on
1-5 Criminal Justice; May 8, 2009, reported favorably, as amended, by
1-6 the following vote: Yeas 6, Nays 0; May 8, 2009, sent to printer.)

1-7 COMMITTEE AMENDMENT NO. 1 By: Whitmire

1-8 Amend HB 1711 as follows:

1-9 On page 2 line 50 after the word "department", insert "shall
1-10 coordinate the work of the task force with the Office of Court
1-11 Administration, and"

1-12 On page 2 line 52 after the word "force" insert ":", and
1-13 strike the following language on lines 52-53, "~~in the office of the~~
1-14 ~~governor."~~

1-15 On page 1 line 62, strike "~~each offender~~" and insert
1-16 "offenders" and on page 2 lines 4-5, strike "~~each offender~~" and
1-17 insert "offenders";

1-18 A BILL TO BE ENTITLED
1-19 AN ACT

1-20 relating to requiring the Texas Department of Criminal Justice to
1-21 establish a comprehensive reentry and reintegration plan for
1-22 offenders released or discharged from a correctional facility.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter B, Chapter 495, Government Code, is
1-25 amended by adding Section 495.028 to read as follows:

1-26 Sec. 495.028. IMPLEMENTATION OF REENTRY AND REINTEGRATION
1-27 PLAN. (a) The department may contract and coordinate with private
1-28 vendors, units of local government, or other entities to implement
1-29 the comprehensive reentry and reintegration plan developed under
1-30 Section 501.092, including contracting to:

1-31 (1) coordinate the supervision and services provided
1-32 to offenders in correctional facilities with any supervision or
1-33 services provided to offenders who have been released or discharged
1-34 from the correctional facility;

1-35 (2) provide offenders awaiting release or discharge
1-36 with documents that are necessary after release or discharge,
1-37 including identification papers, medical prescriptions, job
1-38 training certificates, and referrals to services; and

1-39 (3) provide housing and structured programs,
1-40 including group homes for recovering substance abusers, through
1-41 which offenders are provided services immediately following
1-42 release or discharge.

1-43 (b) To ensure accountability, any contract entered into
1-44 under this section must contain specific performance measures that
1-45 the department shall use to evaluate compliance with the terms of
1-46 the contract.

1-47 SECTION 2. Subchapter C, Chapter 501, Government Code, is
1-48 amended by adding Sections 501.091, 501.092, 501.098, 501.099, and
1-49 501.100 to read as follows:

1-50 Sec. 501.091. DEFINITIONS. In this subchapter:

1-51 (1) "Correctional facility" means a facility operated
1-52 by or under contract with the department.

1-53 (2) "Offender" means an inmate or state jail defendant
1-54 confined in a correctional facility.

1-55 Sec. 501.092. COMPREHENSIVE REENTRY AND REINTEGRATION PLAN
1-56 FOR OFFENDERS. (a) The department shall develop a comprehensive
1-57 plan to reduce recidivism and ensure the successful reentry and
1-58 reintegration of offenders into the community following an
1-59 offender's release or discharge from a correctional facility.

1-60 (b) The reentry and reintegration plan developed under this
1-61 section must provide for:

1-62 (1) an assessment of each offender entering a

2-1 correctional facility to determine which skills the offender needs
 2-2 to develop to be successful in the community following release or
 2-3 discharge;
 2-4 (2) programs that address the assessed needs of each
 2-5 offender;
 2-6 (3) a comprehensive network of transition programs to
 2-7 address the needs of offenders released or discharged from a
 2-8 correctional facility;
 2-9 (4) the identification of providers of existing local
 2-10 programs and transitional services with whom the department may
 2-11 contract under Section 495.028 to implement the reentry and
 2-12 reintegration plan; and
 2-13 (5) subject to Subsection (c), the sharing of
 2-14 information between local coordinators, persons with whom the
 2-15 department contracts under Section 495.028, and other providers of
 2-16 services as necessary to adequately assess and address the needs of
 2-17 each offender.
 2-18 (c) An offender's personal health information may be
 2-19 disclosed under Subsection (b)(5) only if:
 2-20 (1) the offender consents to the disclosure; and
 2-21 (2) the disclosure does not violate the Health
 2-22 Insurance Portability and Accountability Act of 1996 (Pub. L. No.
 2-23 104-191) or other state or federal law.
 2-24 (d) The programs provided under Subsections (b)(2) and (3)
 2-25 must:
 2-26 (1) be implemented by highly skilled staff who are
 2-27 experienced in working with inmate reentry and reintegration
 2-28 programs;
 2-29 (2) provide offenders with:
 2-30 (A) individualized case management and a full
 2-31 continuum of care;
 2-32 (B) life-skills training, including information
 2-33 about budgeting, money management, nutrition, and exercise;
 2-34 (C) education and, if an offender has a learning
 2-35 disability, special education;
 2-36 (D) employment training;
 2-37 (E) appropriate treatment programs, including
 2-38 substance abuse and mental health treatment programs; and
 2-39 (F) parenting and relationship building classes;
 2-40 and
 2-41 (3) be designed to build for former offenders
 2-42 post-release and post-discharge support from the community into
 2-43 which an offender is released or discharged, including support from
 2-44 agencies and organizations within that community.
 2-45 (e) In developing the reentry and reintegration plan under
 2-46 this section, the department shall ensure that the reentry program
 2-47 for long-term inmates under Section 501.096 and the reintegration
 2-48 services provided under Section 501.097 are incorporated into the
 2-49 plan.
 2-50 Sec. 501.098. REENTRY TASK FORCE. (a) The department by
 2-51 rule shall enter into a memorandum of understanding with the
 2-52 following entities to establish a reentry task force in the office
 2-53 of the governor:
 2-54 (1) the Texas Youth Commission;
 2-55 (2) the Texas Workforce Commission;
 2-56 (3) the Department of Public Safety;
 2-57 (4) the Texas Department of Housing and Community
 2-58 Affairs;
 2-59 (5) the Texas Correctional Office on Offenders with
 2-60 Medical or Mental Impairments;
 2-61 (6) the Health and Human Services Commission;
 2-62 (7) the Texas Judicial Council; and
 2-63 (8) an organization selected by the department that
 2-64 advocates for or provides reentry or reintegration services to
 2-65 offenders following their release or discharge from a correctional
 2-66 facility.
 2-67 (b) The reentry task force established under Subsection (a)
 2-68 may:
 2-69 (1) identify gaps in services for offenders following

3-1 their release or discharge to rural or urban communities in the
3-2 areas of employment, housing, substance abuse treatment, medical
3-3 care, and any other areas in which the offenders need special
3-4 services; and

3-5 (2) coordinate with providers of existing local
3-6 reentry and reintegration programs, including programs operated by
3-7 a municipality or county, to make recommendations regarding the
3-8 provision of comprehensive services to offenders following their
3-9 release or discharge to rural or urban communities.

3-10 Sec. 501.099. FAMILY UNITY AND PARTICIPATION. (a) The
3-11 department shall adopt and implement policies that encourage family
3-12 unity while an offender is confined and family participation in an
3-13 offender's post-release or post-discharge transition to the
3-14 community. In adopting the policies, the department shall consider
3-15 the impact of department telephone, mail, and visitation policies
3-16 on the ability of an offender's child to maintain ongoing contact
3-17 with the offender.

3-18 (b) The department, when determining in which correctional
3-19 facility to house an offender, shall consider the best interest of
3-20 the offender's family and, if possible, house the offender in, or in
3-21 proximity to, the county in which the offender's family resides.

3-22 (c) The department shall conduct and coordinate research
3-23 that examines the impact of an offender's confinement on the
3-24 well-being of the offender's child.

3-25 Sec. 501.100. RECIDIVISM STUDY; REPORT. (a) The
3-26 department shall conduct and coordinate research to determine
3-27 whether the comprehensive reentry and reintegration plan developed
3-28 under Section 501.092 and the policies adopted under Section
3-29 501.099 to encourage family unity and participation reduce
3-30 recidivism rates.

3-31 (b) Not later than September 1 of each even-numbered year,
3-32 the department shall deliver a report of the results of research
3-33 conducted or coordinated under Subsection (a) to the lieutenant
3-34 governor, the speaker of the house of representatives, and the
3-35 standing committees of each house of the legislature with primary
3-36 jurisdiction over criminal justice and corrections.

3-37 SECTION 3. (a) As soon as practicable after the effective
3-38 date of this Act, the Texas Department of Criminal Justice shall
3-39 enter into a memorandum of understanding as required by Section
3-40 501.098, Government Code, as added by this Act.

3-41 (b) Not later than January 1, 2010, the Texas Department of
3-42 Criminal Justice shall adopt and implement the policies required by
3-43 Section 501.099, Government Code, as added by this Act.

3-44 (c) Not later than January 1, 2010, the Texas Department of
3-45 Criminal Justice shall develop and implement the comprehensive
3-46 reentry and reintegration plan for offenders as required by Section
3-47 501.092, Government Code, as added by this Act.

3-48 SECTION 4. This Act takes effect immediately if it receives
3-49 a vote of two-thirds of all the members elected to each house, as
3-50 provided by Section 39, Article III, Texas Constitution. If this
3-51 Act does not receive the vote necessary for immediate effect, this
3-52 Act takes effect September 1, 2009.

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