

BILL ANALYSIS

Senate Research Center
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S.B. 976
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Criminal Justice
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Most offenders released annually from Texas prisons are released to various supervision programs that incorporate reentry support and penalties for violations of parole supervision conditions. However, an increasing number of offenders serve their entire sentence in prison without being paroled and are discharged with no conditions or support services.

Offenders who are discharged from prison serve their entire sentence and are released with no conditions or support services to aid in their transition. As this population grows, so does the number of former offenders who enter the community with no oversight or support services. In fiscal year 2009, approximately 41,000 offenders were released from prison. Twenty-one percent of these offenders were discharged, which is notably higher than the 13.9 percent of offenders discharged in 2000.

Leaving these offenders to transition from prison to the community on their own can lead to increased recidivism and public safety costs. In establishing a supervised reentry program under S.B. 976, Texas can better balance criminal justice costs and public safety.

Allowing certain parole-eligible offenders to be released to a supervised reentry program when the offender is one year from their discharge date or on the date the individual has served 90 percent of their sentence could decrease the demand for prison beds by a count of 1,800 in the 2012-2013 biennium.

The decreased demand for prison capacity resulting from this allows the state to address prison facility inefficiencies and realize cost savings by closing one or more prison units that have significant deferred maintenance and repair needs.

Most offenders are released through the parole process and expected to transition back into society as productive, law-abiding citizens. Studies show that providing offenders with comprehensive support services upon their release from prison can improve post-release outcomes.

As proposed, S.B. 976 amends current law relating to the supervised reentry into the community of certain inmates nearing their date of discharge from the Texas Department of Criminal Justice.

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:

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

(2) 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), before an inmate is released under Subsection (b), to make arrangements for the inmate's supervised reentry into the community. Requires that the inmate's supervised reentry program:

(1) provide the inmate with skills necessary to ensure the successful reentry of the inmate into the community, including providing the inmate with appropriate substance abuse treatment, counseling, and other social service programs; and

(2) be coordinated with any programs in which the inmate is or will be participating or services the inmate is or will be receiving through:

(A) the comprehensive reentry and reintegration plan under Section 501.092 (Comprehensive Reentry and Reintegration Plan for Offenders);

(B) the reentry program for long-term inmates under Section 501.096 (Reentry Program for Long-Term Inmates); or

(C) the reintegration services provided under Section 501.097 (Reintegration Services).

(d) Requires a parole panel releasing an inmate under Subsection (b) to impose conditions that require the inmate to participate fully in all treatment and counseling programs provided by TDCJ and authorizes the parole 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.

(f) Provides that the remaining portion of the inmate's sentence is computed with credit for any time the inmate served in the program if an inmate's participation in the supervised reentry program is revoked.

SECTION 2. Provides that the change in law made by this Act applies to any inmate serving a term of imprisonment 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, 2011.