

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 15, 2011

TO: Honorable Jerry Madden, Chair, House Committee on Corrections

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB1299 by Guillen (Relating to the supervised reentry into the community of certain inmates nearing their date of discharge from the Texas Department of Criminal Justice.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1299, As Introduced: a positive impact of \$31,003,573 through the biennium ending August 31, 2013.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2012	\$15,150,456
2013	\$15,853,117
2014	\$17,906,046
2015	\$15,112,677
2016	\$11,936,773

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1
2012	\$15,150,456
2013	\$15,853,117
2014	\$17,906,046
2015	\$15,112,677
2016	\$11,936,773

Fiscal Analysis

The bill would implement a recommendation in the report, "Establish A Supervised Reentry program to Reduce Costs and Improve Efficiencies" in the Legislative Budget Board's *Government Effectiveness and Efficiency Report* submitted to the Eighty-second Texas Legislature, 2011.

The bill would amend the Texas Government Code and require the Board of Pardons and Parole (Parole Board) to release offenders who would otherwise serve their entire sentence to be reintroduced into society through a supervised reentry program. Offenders who are eligible for release on parole or mandatory supervision would be eligible for this program. The Texas Department of Criminal Justice (TDCJ) and the Parole Board would be required to work together to define the requirements of the

supervised reentry program. Such a program would require a parole panel to order the release of an offender to the supervised reentry program either one year before the date on which the offender would discharge his sentence, or the date on which the offender would have served 90 percent of his sentence (whichever is later). The offender's release date would be determined by the actual calendar time the offender served, without consideration of good conduct time.

TDCJ, to the extent practicable and before an offender is discharged, would make arrangements for the offender's supervised reentry into the community. A parole panel releasing an inmate to a program of supervised reentry would impose the conditions for reentry supervision. The period of supervised reentry would be calculated by subtracting from the sentence of an offender the calendar time served on the sentence. An offender who fails to comply with the conditions of supervised reentry would be subject to revocation or other sanctions decided by the Parole Board but the time served on supervised reentry would count towards fulfilling the sentence. Therefore, the remaining portion of an offender's sentence would take into account the time an offender served on supervised reentry.

Methodology

Releasing offenders to supervised reentry is expected to decrease demand upon the correctional resources of TDCJ due to shorter terms of confinement in prison. A simulation model was used to estimate the average number of days each offender would be released early per fiscal year. The total number of days estimated to be freed for all eligible offenders is 631,269 in 2012, 660,547 in 2013, 746,085 in 2014, 629,695 in 2015, and 497,366 in 2016. The earlier release of offenders eligible for supervised reentry would translate into a decreased demand for prison capacity of 1,728 beds in fiscal year 2012 and 1,808 beds in fiscal year 2013. The model estimates that 5,320 persons in fiscal year 2012 and 3,730 persons in fiscal year 2013 would be released to supervised reentry. The largest number of releases would take place in the first year and decline in subsequent years due to an initial surge in demand of persons currently in prison who would normally discharge, are parole eligible, and have served at least 90 percent of their sentence. The number of persons released to supervised reentry would decrease in each subsequent year until reaching a constant level of 1,860 in fiscal year 2016. However, the decrease in the number of persons released to supervised reentry would be offset by an increase in the average number of days an offender is released early to supervised reentry, increasing from 119 in fiscal year 2012 to a constant level of 267 days beginning in fiscal year 2016.

While the bill does not prescribe the level of supervision offenders in the supervised reentry program would receive, the fiscal impact assumes offenders released into the program would be subject to the highest level of supervision TDCJ's Parole Division currently provides, the Super Intensive Supervision Program (SISP). Incarceration cost savings are estimated using \$49.54 per offender per day cost for prison facilities which is the approximate cost of either operating facilities or contracting with other entities. The costs of reentry supervision are estimated on the basis of \$25.24 per day, which is the active daily supervision cost for SISP. The difference in cost is \$24.00.

Savings from implementing a supervised reentry program is estimated to be \$15,150,456 in General Revenue Funds in fiscal year 2012 and \$15,853,117 in General Revenue Funds in fiscal year 2013.

Technology

There would not be a cost to technology as a result of this bill.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 696 Department of Criminal Justice, 697 Board of Pardons and Paroles

LBB Staff: JOB, YD, ESi, JI, BM