

By: Ellis

S.B. No. 770

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the creation of the Texas Commission on Criminal and  
3 Juvenile Justice.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subtitle B, Title 4, Government Code, is amended  
6 by adding Chapter 415 to read as follows:

7 CHAPTER 415. TEXAS COMMISSION ON CRIMINAL AND JUVENILE JUSTICE

8 Sec. 415.001. DEFINITION. In this chapter, "commission"  
9 means the Texas Commission on Criminal and Juvenile Justice.

10 Sec. 415.002. CREATION; MISSION. (a) The Texas Commission  
11 on Criminal and Juvenile Justice is created.

12 (b) The mission of the commission is to enhance public  
13 safety, protect the rights of crime victims, save taxpayer money,  
14 and ensure justice and the fair treatment of all residents of this  
15 state by focusing on:

16 (1) evidence-based recidivism reduction initiatives;  
17 and

18 (2) cost-effective uses of public resources.

19 Sec. 415.003. COMPOSITION. (a) The commission is composed  
20 of:

21 (1) the public safety director of the Department of  
22 Public Safety or the director's designee;

23 (2) the executive director of the Texas Department of  
24 Criminal Justice or the executive director's designee;

1           (3) the executive commissioner of the Health and Human  
2 Services Commission or the executive commissioner's designee;

3           (4) the executive director of the Texas Juvenile  
4 Justice Department or the executive director's designee;

5           (5) the administrative director of the Office of Court  
6 Administration of the Texas Judicial System or the director's  
7 designee;

8           (6) the president of the Texas Criminal Defense  
9 Lawyers Association or the president's designee;

10           (7) the president of the Texas District and County  
11 Attorneys Association or a district attorney appointed by the  
12 president;

13           (8) the executive director of the Texas Indigent  
14 Defense Commission or the executive director's designee, if the  
15 designee is the director of a public defender office in this state  
16 or a representative of an organization with significant knowledge  
17 and experience in the issues under consideration by the commission;

18           (9) the chair of the Senate Committee on Criminal  
19 Justice;

20           (10) the chair of the House Committee on Corrections;  
21 and

22           (11) 11 members appointed by the governor, consisting  
23 of:

24                   (A) one representative of a police department who  
25 is a peace officer;

26                   (B) one representative of a sheriff's department  
27 who is a peace officer;

1           (C) one representative of a community  
2 supervision and corrections department;

3           (D) one representative of a substance abuse  
4 treatment provider or mental health treatment provider who, under a  
5 contract with a community supervision and corrections department,  
6 provides treatment to individuals supervised by that department;

7           (E) one representative of a crime victims' rights  
8 organization;

9           (F) one representative of a nonprofit entity that  
10 specializes in criminal justice research and reform;

11           (G) one law professor at a law school in this  
12 state;

13           (H) one professor at a university in this state;

14           (I) one district court judge;

15           (J) one county court judge; and

16           (K) one county commissioner.

17           (b) A person is not eligible to be appointed under  
18 Subsection (a) or serve as a designee unless the person has  
19 significant knowledge and experience in the issues under  
20 consideration by the commission.

21           Sec. 415.004. DUTIES; ANNUAL REPORT. (a) The commission  
22 shall:

23           (1) conduct an empirical analysis of and collect  
24 evidence-based data on law enforcement policies and practices and  
25 sentencing policies and practices in this state, including an  
26 evaluation of the effectiveness of the sentences imposed in  
27 reducing recidivism;

1           (2) investigate the effectiveness of alternatives to  
2 incarceration in reducing recidivism, the factors that contribute  
3 to recidivism, evidence-based recidivism reduction initiatives  
4 implemented in other states, and crime and juvenile delinquency  
5 prevention programs that have been implemented in other states and  
6 have proven to be cost-effective;

7           (3) study evidence-based practices related to bail and  
8 pretrial release;

9           (4) investigate and conduct an analysis of racial or  
10 economic disparities, including the causes of the disparities,  
11 relating to arrests of defendants or custodial actions involving  
12 juveniles made by law enforcement, charging decisions, the  
13 composition of juries or grand juries, and sentencing policies and  
14 practices in this state;

15           (5) conduct and review existing studies and other  
16 resources, including studies and resources conducted or compiled by  
17 other states, concerning sentencing policies and practices in  
18 criminal and juvenile justice systems;

19           (6) cooperate with other boards, task forces, research  
20 organizations, universities, or commissions that study or address  
21 criminal or juvenile justice issues;

22           (7) make findings and recommendations concerning ways  
23 in which to improve the efficiency and effectiveness of the  
24 criminal and juvenile justice systems in this state, including ways  
25 to reduce disparities described by Subdivision (4); and

26           (8) evaluate the implementation of the  
27 recommendations made by the commission.

1       (b) Not later than September 1 of each even-numbered year,  
2 the commission shall deliver a report of the commission's findings  
3 and recommendations to the governor, the lieutenant governor, the  
4 speaker of the house of representatives, and the standing  
5 committees of each house of the legislature with primary  
6 jurisdiction over criminal and juvenile justice matters.

7       Sec. 415.005. APPOINTMENT OF ADVISORY COMMITTEES. The  
8 commission may establish advisory committees it considers  
9 necessary to accomplish the purposes of this chapter.

10       Sec. 415.006. TENURE OF MEMBERS. (a) An appointed member  
11 of the commission serves at the pleasure of the appointing officer.

12       (b) A member who serves on the commission by virtue of the  
13 member's office serves on the commission for the period during  
14 which the member holds that office.

15       Sec. 415.007. COMPENSATION AND REIMBURSEMENT. A member of  
16 the commission or an advisory committee established by the  
17 commission serves without compensation but, from funds  
18 appropriated to the Department of Public Safety, is entitled to  
19 reimbursement for actual and necessary expenses incurred in the  
20 performance of official commission or committee duties as provided  
21 by Chapter 660.

22       Sec. 415.008. PRESIDING OFFICERS. The governor shall  
23 designate one member of the commission to serve as presiding  
24 officer of the commission and one member of the commission to serve  
25 as assistant presiding officer of the commission.

26       Sec. 415.009. MEETINGS. The commission shall meet at least  
27 once a month and more frequently at the call of the presiding

1 officer.

2 Sec. 415.010. TECHNICAL AND ADMINISTRATIVE ASSISTANCE. The  
3 Department of Public Safety, the Texas Department of Criminal  
4 Justice, and the Texas Juvenile Justice Department shall provide  
5 the commission with resources for:

- 6 (1) data collection, research, and analysis; and  
7 (2) publication of the commission's findings and  
8 reports.

9 Sec. 415.011. GIFTS, GRANTS, AND DONATIONS. (a) For the  
10 purpose of funding any activity of the commission under this  
11 chapter, the commission may:

- 12 (1) apply for and accept:  
13 (A) gifts, grants, and donations from any  
14 organization described in Section 501(c)(3) or (4) of the Internal  
15 Revenue Code of 1986; and  
16 (B) federal grants; and  
17 (2) accept donations from an individual or a private  
18 entity.

19 (b) All gifts, grants, and donations must be reported in the  
20 public records of the commission with the name of the donor and  
21 purpose of the gift, grant, or donation accepted.

22 (c) The commission may authorize and disburse subgrants of  
23 funds from those funds that the commission may accept from time to  
24 time under this section for appropriate programs, services, and  
25 activities related to and in accord with the purposes and  
26 activities of the commission.

27 Sec. 415.012. SUNSET PROVISION; COMMISSION ABOLISHED. The

1 commission is subject to Chapter 325 (Texas Sunset Act). Unless  
2 continued in existence as provided by that chapter, the commission  
3 is abolished and this chapter expires September 1, 2027.

4 SECTION 2. (a) Not later than the 60th day after the  
5 effective date of this Act, the governor shall make the  
6 appointments required by Chapter 415, Government Code, as added by  
7 this Act.

8 (b) The Texas Commission on Criminal and Juvenile Justice  
9 shall submit the first report required by Section 415.004,  
10 Government Code, as added by this Act, not later than September 1,  
11 2016.

12 SECTION 3. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2015.