

BILL ANALYSIS

C.S.H.B. 865
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Defense & Veterans' Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised about the frequency with which veterans returning home from deployment turn to drugs and alcohol to cope with emotional and physical harm from service, which in turn leads many such veterans to enter the criminal justice system with prescription drug or substance abuse issues. C.S.H.B. 865 seeks to address these concerns by requiring the Texas Department of Criminal Justice (TDCJ) to establish a veterans services coordinator to coordinate responses to the needs of veterans under TDCJ supervision and requiring TDCJ to establish and administer a voluntary rehabilitation and transition program for veterans confined in state jail felony facilities.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 865 amends the Government Code to require the Texas Department of Criminal Justice (TDCJ) to establish a veterans services coordinator to coordinate responses to the needs of veterans under TDCJ supervision, including veterans who are released on parole or mandatory supervision. The bill requires the veterans services coordinator to coordinate veterans' services for all TDCJ divisions and, with the cooperation of the community justice assistance division, to provide information to community supervision and corrections departments to help those departments coordinate responses to the needs of veterans placed on community supervision. The bill requires the veterans services coordinator, in collaboration with the attorney general's office, to provide each incarcerated veteran a child support modification application.

C.S.H.B. 865 requires TDCJ, in coordination with the Texas Veterans Commission, to establish and administer a voluntary rehabilitation and transition program for defendants confined in state jail felony facilities who are veterans of the U.S. armed forces, including veterans of the reserves, national guard, or state guard, and who were victims of military sexual trauma or suffer from a brain injury, a mental illness, a mental disorder, or substance abuse that occurred during or resulted from their military service and that may have contributed to their criminal activity. The bill requires the program to provide for investigating and verifying the veteran status of each defendant confined in a state jail felony facility by using data made available from the Veterans Reentry Search Service operated by the U.S. Department of Veterans Affairs or a similar service; be available to male defendants and, if resources are available, female defendants; include provisions regarding interviewing and selecting defendants for participation in the program;

allow a defendant to decline participation in the program or to withdraw from the program at any time; house defendants participating in the program in housing that is designed to mimic the squadron structure familiar to veterans; coordinate and provide available TDCJ-approved services and programming; and, to the extent feasible and not later than the 60th day before the date a defendant participating in the program is scheduled for release or discharge from TDCJ, to match the defendant with community-based veteran peer support services to assist the defendant in transitioning into the community and to transfer the defendant to a state jail felony facility located near the defendant's home community, or the community in which the defendant intends to reside after the defendant's release or discharge, to begin establishing transition relationships with community-based veteran peer support service providers and family members.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 865 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subchapter A, Chapter 501, Government Code, is amended.

SECTION 2. Subchapter B, Chapter 507, Government Code, is amended by adding Section 507.034 to read as follows:

Sec. 507.034. **VETERANS REHABILITATION DORM PROGRAM.**

(a) The department shall establish a voluntary rehabilitation and transition program for defendants confined in state jail felony facilities:

(1) who are veterans of the United States armed forces, including veterans of the reserves, national guard, or state guard; and

(2) who suffer from a brain injury, a mental illness, a mental disorder, including post-traumatic stress disorder, or substance abuse

that:

(A) occurred during or resulted from their military service; and

(B) may have contributed to their criminal activity.

(b) The program must:

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Same as introduced version.

SECTION 2. Subchapter B, Chapter 507, Government Code, is amended by adding Section 507.034 to read as follows:

Sec. 507.034. **VETERANS REENTRY DORM PROGRAM.**

(a) The department, in coordination with the Texas Veterans Commission, shall establish and administer a voluntary rehabilitation and transition program for defendants confined in state jail felony facilities:

(1) who are veterans of the United States armed forces, including veterans of the reserves, national guard, or state guard; and

(2) who suffer from a brain injury, a mental illness, a mental disorder, including post-traumatic stress disorder, or substance abuse, or were victims of military sexual trauma, as defined by Section 124.002,

that:

(A) occurred during or resulted from their military service; and

(B) may have contributed to their criminal activity.

(b) The program established under this section must:

(1) provide for investigating and verifying the veteran status of each defendant confined in a state jail felony facility by

(1) house defendants participating in the program in housing that is designed to mimic the squadron structure familiar to veterans;

(2) provide rehabilitation programming in developing healthy relationships, anger management techniques, and substance abuse treatment; and

(3) to the extent feasible, not later than the 30th day before the date a defendant participating in the program is released or discharged from the department;

(A) match the defendant with a Military Veteran Peer Network peer service coordinator to assist the defendant in transitioning into the community; and

(B) transfer the defendant to a state jail felony facility located near the defendant's home community, or the community in which the defendant intends to reside after the defendant's release or discharge, to begin establishing transition relationships with the peer service coordinator and family members.

SECTION 3. This Act takes effect September 1, 2017.

using data made available from the Veterans Reentry Search Service (VRSS) operated by the United States Department of Veterans Affairs or a similar service;

(2) be available to male defendants and, if resources are available, female defendants;

(3) include provisions regarding interviewing and selecting defendants for participation in the program;

(4) allow a defendant to decline participation in the program or to withdraw from the program at any time;

(5) house defendants participating in the program in housing that is designed to mimic the squadron structure familiar to veterans;

(6) coordinate and provide available services and programming approved by the department, including:

(A) individual and group peer support programing, as appropriate;

(B) access to military trauma-informed licensed mental health professional counseling, as appropriate;

(C) evidence-based rehabilitation programming; and

(D) reemployment services; and

(7) to the extent feasible, not later than the 60th day before the date a defendant participating in the program is scheduled for release or discharge from the department;

(A) match the defendant with community-based veteran peer support services to assist the defendant in transitioning into the community; and

(B) transfer the defendant to a state jail felony facility located near the defendant's home community, or the community in which the defendant intends to reside after the defendant's release or discharge, to begin establishing transition relationships with community-based veteran peer support service providers and family members.

SECTION 3. Same as introduced version.