

BILL ANALYSIS

C.S.H.B. 2168
By: Allen
Corrections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Reports indicate that rates of trauma are high among certain criminal defendants and that unaddressed trauma can impede successful treatment and rehabilitation of these defendants. It has been suggested that defendants should be screened for trauma in order to allow for early identification and any appropriate intervention. C.S.H.B. 2168 requires the Texas Department of Criminal Justice and community supervision and corrections departments to conduct trauma history screenings of criminal defendants and inmates.

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. 2168 amends the Government Code to require the Texas Department of Criminal Justice (TDCJ) to screen each inmate during the diagnostic process to determine whether the inmate has experienced adverse childhood experiences or other significant trauma and to refer any inmate exhibiting symptoms of post-traumatic stress disorder or other symptoms of trauma as needed to the appropriate medical or mental health care professional for treatment. The bill requires the community justice assistance division of TDCJ to require each community supervision and corrections department to conduct such a screening of a defendant at the time of the defendant's initial placement on community supervision and make such a referral with respect to any defendant exhibiting those symptoms as needed.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2168 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute specifies that an inmate or defendant required to be referred to the appropriate medical or mental health care professional for treatment is any inmate or defendant exhibiting symptoms of post-traumatic stress disorder or other symptoms of trauma.