

## **BILL ANALYSIS**

C.S.H.B. 2384  
By: Sherman, Sr.  
Corrections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

There have been calls to enact measures to improve community supervision outcomes, from allowing community supervision and corrections departments (CSCDs) to tailor reporting requirements based on a defendant's risk level to facilitating the exchange of best practices and technical guidance between the community justice assistance division of the Texas Department of Criminal Justice and CSCDs. C.S.H.B. 2384 enacts these measures and provides for an annual report on community supervision outcomes to inform the decision-making of judges and policy makers as it relates to the justice system.

### **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. 2384 amends the Government Code to require the community justice assistance division of the Texas Department of Criminal Justice to do the following:

- allow community supervision and corrections departments (CSCDs) to implement reporting intervals for defendants directly supervised by CSCDs that are determined by risk with reporting to occur as follows:
  - for higher-risk defendants, at more frequent intervals than lower-risk defendants; and
  - for a low-risk defendant with intervals capped at 12 months;
- prepare and make available guidance documents to assist CSCDs and judges in determining best practices for the use of progressive sanctions; and
- implement an online technical assistance library that includes online training for purposes of improving the rate of successful completion of community supervision for all CSCDs and judges.

C.S.H.B. 2384 prohibits the division from reducing the amount of per capita and formula funding payable to a CSCD based on the reporting interval of a defendant supervised by the CSCD.

C.S.H.B. 2384 requires the division to implement a program in which CSCDs with a rate of successful completion of community supervision that is above the statewide average provide training and technical assistance to other CSCDs for the purpose of improving their successful completion rate or implementing innovative or cost-effective methods. The bill requires the

division, in awarding a grant under a grant program for CSCDs, to give priority to CSCDs that provide or receive training or technical assistance under such an implemented program or that implement innovative or cost-effective methods under such a program. The bill authorizes the division to provide grants to CSCDs for the purpose of employing certified peer support specialists, recovery coaches, and certified reentry support specialists to provide peer-to-peer support for defendants on community supervision and to assist those defendants in successfully completing the period of community supervision.

C.S.H.B. 2384 requires the division, not later than April 1 of each year, to submit a report to the governor, the lieutenant governor, the speaker of the house of representatives, each member of the legislature, each CSCD, and each district court, office of the state's attorney, and public defender's office in Texas that includes the following information:

- community supervision outcomes for the preceding calendar year for each CSCD, county, district court, and constitutional or statutory county court with criminal jurisdiction, including certain specified data and statistics;
- a comparison of those outcomes to the statewide data for the outcomes and if applicable, the outcomes of comparable courts that have a rate of successful completion of community supervision that is above the statewide average; and
- a detailed summary of the division's efforts to reduce the revocation rate of defendants placed on community supervision.

The bill requires the division to make the report available on its website.

### **EFFECTIVE DATE**

September 1, 2021.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2384 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 includes a requirement not in the original requiring the division, in awarding a grant under a grant program, to give priority to certain CSCDs. The substitute replaces the original's requirement for the division to ensure that a portion of funds used for grant programs are available for grants to CSCDs for the purpose of employing certain certified professionals to provide support for and assist defendants on community supervision with an authorization for the division to provide grants to CSCDs for that purpose.

The substitute changes the date by which the division must annually submit a report to specified parties from not later than February 1, as in the original, to not later than April 1. With respect to the required contents of the report, the substitute includes the following, which were not required by the original:

- community supervision outcomes for the preceding calendar year for each constitutional county court with criminal jurisdiction; and
- certain additional data on community supervision revocations and motions to adjudicate or revoke community supervision.

While both the substitute and the original require the division to implement a program for improving the rate of successful completion of community supervision, the substitute does not include judges among the parties that provide or receive training and technical assistance to accomplish that purpose, as in the original. The substitute includes among the purposes for which CSCDs must provide training and technical assistance the implementation of innovative or cost-effective methods in CSCDs that receive the training and assistance, which did not appear in the original.

The substitute does not include a requirement that appeared in the original for the division to require as a condition to payment of state aid that a CSCD with a rate of successful completion of community supervision that is below the statewide average receive training through the program implemented under the bill until its rate of successful completion of community supervision exceeds the statewide average.