

PUBLIC COMMENTS

HB 358

HOUSE COMMITTEE ON CORRECTIONS

Hearing Date: April 14, 2021 8:00 AM

Rebecca Palomo, Judge
Judicial Advisory Council
Laredo, TX

With all due respect to Rep. Sherman, we oppose HB358 because it limits judicial discretion and sets an arbitrary number to justify revocations. A written letter was submitted yesterday as testimony in this regard. I may be reached for questions at 956.744.5839 or rpalomo@webbcountytx.gov. Thank you.

Judge Beckie Palomo
Webb County, Texas
Judicial Advisory Council, Co-chair

Yoon Kim
Texas Probation Association
Frisco, TX

I am opposed to HB 358 as it will take away from judicial discretion. I will forward written testimony to the clerk.

Arnold Patrick
Dallas County Community Supervision and Corrections Department
Dallas, TX

Chairman and committee members,
My name is Arnold Patrick and am the Director of Community Supervision and Corrections (CSCD) for Dallas County since March 1, 2021. Prior to that I was the Director in the Hidalgo County CSCD for eleven years. I have been a member of the Texas Probation Association Legislative Committee and am the past chair of the Probation Advisory Committee which is probations representation to the Judicial Advisory Council.

The Judicial Advisory Committee and the Texas Probation Association has met with Representative Sherman to express the difficulties that the current version of HB 358 poses to the Judiciary and probation in Texas.

HB 358 limits the Judges authority to enforce conditions of probation that are designed to protect the community and help the individual make changes to their behavior and reduce their chances to recidivate. The bill adds processes and limitations on the courts that will cause a delay in an already backlogged system and more importantly it adds nothing new to the ability of a Judge to address both positive and negative behaviors as well as a persons ability to meet the expectations of the court.

I will not go in to specific details as these have been discussed with the representative and many of the members previously, but I will email the committee the Technical Revocation Study produced by the Texas Department of Criminal Justice that demonstrates the genuine nature of the vast majority of technical violations leading to revocation. It illustrates the facts that the individuals being revoked for these technical violations are in fact violating many more conditions at the time of revocation and have been before the courts a number of times previously on other violations. While this is not an absolute, the numbers clearly show that there is no need for additional restrictions on the courts in this regard.

Angela Tucker, Judge
Judicial Advisory Council

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McKinney, TX

I sent written correspondence to the Committee in OPPOSITION of the bill.