

BILL ANALYSIS

C.S.H.B. 4837
By: Lopez, Ray
Corrections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Incarcerated veterans experience unique challenges during their incarceration, including post-traumatic stress disorder, traumatic brain injury, and other mental health conditions. Moreover, incarcerated veterans often struggle with the transition back into civilian life upon their release, which can exacerbate existing mental health challenges. A dedicated housing program within the Texas Department of Criminal Justice (TDCJ) for incarcerated veterans would provide a peer-to-peer support system during their incarceration that understands and addresses their unique mental health needs, and such housing can also help mitigate the feelings of isolation and disconnection that may arise during incarceration. C.S.H.B. 4837 seeks to improve outcomes for these veterans, both during incarceration and upon their release, by establishing a veterans housing program within TDCJ for veterans of the U.S. armed forces who are inmates incarcerated by TDCJ.

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. 4837 amends the Government Code to require the Texas Department of Criminal Justice (TDCJ), as soon as practicable after the bill's effective date, to establish a housing program for inmates who are veterans of the U.S. armed forces. The bill requires the program to do the following:

- dedicate certain cellblocks or dormitories for use in the program and, if necessary, use those dedicated cellblocks or dormitories to house inmates who are not veterans; and
- include procedures to verify the veteran status of each inmate during the diagnostic process and allow an inmate whose veteran status is verified to opt in to the housing dedicated for use in the program.

The bill requires TDCJ, in housing inmates under such a program, to comply with the prohibition on housing inmates with different custody classifications in the same cellblock or dormitory except under specified circumstances. The bill prohibits TDCJ from housing an inmate in a cellblock or dormitory dedicated for use in the program if TDCJ has determined that housing the inmate in that cellblock or dormitory would jeopardize the safety or security of other inmates or staff.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 4837 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes the following provisions that were not in the introduced with respect to housing inmates under a housing program for inmates who are veterans:

- a requirement for TDCJ to comply with statutory provisions relating to housing inmates of different classifications in the same cellblock or dormitory; and
- a prohibition against TDCJ housing an inmate in a cellblock or dormitory dedicated for use in the program if TDCJ has determined that so housing the inmate would jeopardize the safety or security of other inmates or staff.