

BILL ANALYSIS

C.S.H.B. 5177
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Corrections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Participants in the Bexar County Veterans Treatment Court (VTC) have applied and been accepted to the specialty court program that focuses on the root causes—often military service-related trauma—that cause veterans to become involved in the criminal justice system. Generally, a VTC focuses on rehabilitation and accountability and in Bexar County, the VTC provides life skills, drug and alcohol intervention, drug and alcohol management with relapse intervention, DWI intervention, cognitive behavior therapy, dialectical behavior therapy, military sexual trauma therapy, victim impact, trauma-informed care based on specific veteran's trauma experiences, prolonged exposure therapy, pro-social networking, high-risk high-need supervision, field visits and other services as needed. In addition to providing these rehabilitation opportunities, VTCs offer veterans other benefits that can reduce their involvement in the criminal justice system, which can in turn provide a path to permanent housing, stable jobs, security clearances needed to work for the government, and peace of mind for the veteran and their family. However, this is generally only available to veterans who are arrested for or charged with an offense and not to veterans who have been convicted or placed on community supervision, despite that all such veterans can participate and successfully complete a VTC. C.S.H.B. 5177 seeks to remedy this issue by making veterans who have been placed on community supervision for certain offenses and successfully complete a veterans treatment court program eligible for a reduction or termination of their community supervision.

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. 5177 amends the Code of Criminal Procedure to make a defendant who is convicted of any of the following offenses and placed on community supervision eligible for a reduction or termination of the period of community supervision if the defendant has completed the lesser of one-third of the original period or two years of community supervision and has successfully completed a veterans treatment court program:

- driving while intoxicated;
- driving while intoxicated with child passenger;
- flying while intoxicated;
- boating while intoxicated;
- assembling or operating an amusement ride while intoxicated;
- intoxication assault; or

- intoxication manslaughter.

This provision applies only to a person who is placed on community supervision for an offense committed on or after the bill's effective date. The bill provides for the continuation of the law in effect before the bill's effective date for purposes of an offense, or any element thereof, that occurred before that date.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

The substitute includes provisions absent from the introduced relating to the eligibility of a defendant who is convicted of certain intoxication-related offenses and placed on community supervision for a reduction or termination of the period of community supervision, provided the defendant completes a specified amount of community supervision and successfully completes a veterans treatment court program. Except for the effective date, the substitute does not include any provisions from the introduced, which relates to the eligibility of any justice-involved veteran who completes a veterans treatment court program with the concurrence of the district attorney for discharge and dismissal and release from all disabilities resulting from the justice-involved event.