

SUBJECT: Expanding eligibility for educational, vocational training pilot program

COMMITTEE: Corrections — committee substitute recommended

VOTE: 6 ayes — Murr, Allen, Burrows, Rodriguez, Sherman, White

1 nay — Slaton

2 absent — Bailes, Martinez Fischer

WITNESSES: For — Jennifer Tucker, Goodwill Central Texas; Douglas Smith, Texas Criminal Justice Coalition; (*Registered, but did not testify*: Terra Tucker, Alliance for Safety and Justice; Nick Hudson, American Civil Liberties Union of Texas; Warren Burkley, Austin Justice Coalition; James Parnell, Dallas Police Association; Kathy Mitchell, Just Liberty; Karen Munoz and Jorge Renaud, LatinoJustice; Maggie Luna, Statewide Leadership Council; J.D. Hale, Texas Association of Builders; Lori Henning, Texas Association of Goodwills; Rachana Chhin, Texas Catholic Conference of Bishops; Nikki Pressley, Texas Public Policy Foundation; Frederick Frazier, Texas State Fraternal Order of Police and Dallas Police Association; Traci Berry, The Goodwill Excel Center for Adults; Veronica Morales; Thomas Parkinson; Arasely Reyes; Jason Vaughn)

Against — None

On — (*Registered, but did not testify*: Tim McDonnell, Board of Pardons and Paroles; April Zamora, Texas Department of Criminal Justice)

BACKGROUND: Government Code sec. 507.007 authorizes the Texas Department of Criminal Justice to establish a pilot program to provide educational and vocational training, employment and reentry services to defendants placed on community supervision and required to serve a term of confinement in a state jail as part of community supervision.

Code of Criminal Procedure art. 42A.562 authorizes judges assessing punishment in a state-jail felony case to suspend the imposition of the

sentence and place the defendant on community supervision with the conditions that the defendant submit at the beginning of the term of community supervision to confinement in a state-jail felony facility for up to 90 days.

Some have proposed that eligibility for the state's pilot program for education and vocational training for some defendants placed on community supervision for a state-jail felony be expanded so that certain drug offenders may get help in finding employment after a prison term.

DIGEST:

CSHB 2352 would expand the Texas Department of Criminal Justice's (TDCJ) educational and vocational training pilot program to include inmates released on early parole as authorized by the bill. At least two sites would have to be identified for the program while the program cap of four sites would remain.

The bill would authorize parole panels to release from confinement on parole certain inmates about 180 days before the date the inmate would be eligible for release on parole. This would apply to those:

- serving a sentence for an offense under the Texas Controlled Substance Act for a third-degree felony;
- who had not previously been convicted of a felony offense against a person or for public indecency or organized crime; and
- whose eligibility for parole was computed under the general provisions for eligibility which make individuals eligible for release on parole when their actual calendar time served plus good conduct time equals one-fourth of the sentence or 15 years, whichever is less.

Parole panels releasing an inmate on parole under these provisions would have to require as a condition of release that the person participate in the educational and vocational training pilot program, beginning immediately after release.

TDCJ would have to annually identify at least 100 inmates who were

suitable candidates for participation in the program. Those who were considered for but not granted early release on parole would have to be considered for release on parole on the date that the inmate otherwise would have been considered.

The Office of Court Administration would have to develop an annually provide training to educate and inform judges about the educational and vocational training pilot program.

CSHB 2352 would remove authorization for judges to require those being convicted of a state-jail felony and placed on community supervision to serve a term in a state-jail for up to 90 days at the beginning of the term of community supervision.

The bill would take effect September 1, 2021, and would apply to any inmate confined in any TDCJ facility on or after that date.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of about \$3.9 million to general revenue through fiscal 2023.