

- SUBJECT:** Increasing information to defendants placed on community supervision
- COMMITTEE:** Criminal Jurisprudence — committee substitute recommended
- VOTE:** 7 ayes — Moody, Hunter, Canales, Gervin-Hawkins, Hefner, Lang, Wilson
0 nays
- WITNESSES:** For — Joe Flores; Craig Smith; (*Registered, but did not testify:* Margaret "Peggy" Cook and Goodman Holiday, Austin Justice Coalition; Kathryn Freeman, Christian Life Commission; Traci Berry, Goodwill Central Texas; Katija Gruene, Green Party of Texas; Douglas Smith, Texas Criminal Justice Coalition; Yannis Banks, Texas NAACP; Darwin Hamilton; Lauren Johnson)

Against — None

On — Margie Johnson, Office of Court Administration; Amber Givens-Davis
- BACKGROUND:** Code of Criminal Procedure, art. 42A.701(f) authorizes a court to release a defendant from all penalties and disabilities resulting from the underlying offense after the defendant successfully completes a term of community supervision. Observers have noted that many individuals remain unaware that judges have this authority.
- DIGEST:** CSHB 1507 would require courts to inform defendants that the judge is authorized to release individuals from all penalties and disabilities from an offense if a defendant successfully completed a term of community supervision. This notice would be required before a court could accept a plea from a defendant, as well as when a defendant was placed on supervision. The Office of Court Administration would prescribe a form for courts to use to provide this information to defendants being placed on community supervision.

The bill also would require the Office of Court Administration to adopt a standardized form for courts to use in discharging a defendant from community supervision that would either provide for the judge to:

- discharge the defendant; or
- discharge the defendant, set aside the verdict or permit the defendant to withdraw a plea, and dismiss the accusation, complaint, information, or indictment against the defendant.

The form would state that a defendant whose accusations were dismissed was released from the penalties and disabilities resulting from the offense.

The Office of Court Administration would be required to adopt the two forms required in the bill by December 1, 2017.

The bill would take effect September 1, 2017, and would apply only to pleas or discharges from community supervision occurring on or after January 1, 2018.