

## **BILL ANALYSIS**

C.S.H.B. 788  
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Corrections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

It has been suggested that the recidivism rates of parolees belie the effectiveness of the assessments and guidelines used by the Board of Pardons and Paroles (BPP) and parole panels in making parole decisions and highlight a need to more thoroughly evaluate the assessment components of the guidelines. C.S.H.B. 788 seeks to address this issue by requiring the BPP to conduct a study on those assessment components based on specific recidivism data.

### **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. 788 amends the Government Code to require the Board of Pardons and Paroles (BPP) to conduct a study on the effectiveness of the assessment components of the parole guidelines adopted by the BPP and used by the BPP and parole panels in determining which inmates should be released on parole. The bill requires the BPP, in conducting the study, to obtain information on inmates considered and released on parole during the period beginning September 1, 2013, and ending August 31, 2016, from the Texas Board of Criminal Justice, the Texas Department of Criminal Justice, and any other criminal justice agency with relevant information on the recidivism of those inmates and authorizes the BPP to use information for a select group of inmates based on an acceptable research methodology.

C.S.H.B. 788 requires the BPP, in evaluating the effectiveness of the assessments, to compare and analyze the recidivism rates and parole guideline score of the inmates used in the study and requires the BPP to determine for each category or score within the parole guidelines the number of inmates released on parole who are convicted of a misdemeanor offense following release on parole, the number of inmates released on parole who are convicted of a felony offense following release on parole, and the number of inmates released on parole who have had parole revoked for a reason other than a new conviction.

C.S.H.B. 788 requires the BPP, not later than January 1, 2021, to submit a report on the results of the study to the governor, the lieutenant governor, and each member of the legislature. The report must include any recommendations the BPP considers necessary to improve the parole decision-making process, including any updates to the parole guidelines or modifications to the range of recommended parole approval rates. The bill's provisions expire August 31, 2021.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 788 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes the inmates to be used in the study from inmates considered for parole during the period beginning January 1, 2017, and ending December 31, 2019, to inmates considered and released on parole during the period beginning September 1, 2013, and ending August 31, 2016.

The substitute revises the type of recommendations to be included in the report with respect to parole guidelines and parole approval rates.