

SUBJECT: Allowing community supervision reporting by risk level, requiring report

COMMITTEE: Corrections — committee substitute recommended

VOTE: 7 ayes — Murr, Allen, Bailes, Burrows, Rodriguez, Slaton, White

0 nays

2 absent — Martinez Fischer, Sherman

WITNESSES: For — M. Paige Williams, for Dallas County Criminal District Attorney John Creuzot; Devin Driver and Douglas Smith, Texas Criminal Justice Coalition; (*Registered, but did not testify*: Nick Hudson, American Civil Liberties Union of Texas; Kathy Mitchell, Just Liberty; Jorge Renaud, LatinoJustice; Susana Carranza, League of Women Voters of Texas; Maggie Luna, Statewide Leadership Council; Jason Vaughn, Texas Young Republicans; Lauren Johnson; Sarah Reyes)

Against — (*Registered, but did not testify*: Eric Knustrom, Texas Probation Association)

On — Andrea Bode, Kerr, Bandera and Gillespie County CSCD; Carey Green, Texas Department of Criminal Justice, Community Justice Assistance Division; (*Registered, but did not testify*: Leighton Iles, Tarrant County Community Supervision and Corrections Department)

BACKGROUND: Government Code ch. 509 governs the Texas Department of Criminal Justice's community assistance division, which administers community supervision (adult probation) in the state. Under sec. 509.003, the division adopts standards and procedures for local community supervision and corrections departments.

Interested parties have suggested that local community supervision and corrections departments and individuals on probation could benefit from local departments allowing individuals to report based on risk level and from an exchange of ideas on best practices.

DIGEST: CSHB 2384 would authorize reporting intervals based on risk for those on community supervision, establish a program to improve successful community supervision, revise provisions relating to grants, and require a statewide report on probation outcomes.

Reporting by risk levels. The Community Justice Assistance Division of the Texas Department of Criminal Justice (TDCJ) would be required to allow local community supervision departments to implement reporting intervals for defendants that were determined by risk, with higher-risk defendants reporting at more frequent intervals than lower-risk defendants. Reporting intervals for low-risk defendants could not exceed 12 months.

The division would be prohibited from reducing the amount of funding it paid a local department based on the reporting interval of a defendant supervised by the department.

The division would have to make available guidance documents to help departments and judges determine best practices in using progressive sanctions. The division also would have to implement an online technical assistance library with training to improve the rate of successful completion of community supervision for all departments and judges.

Program for improving successful community supervision. CSHB 2384 would require the division to implement a program in which departments with a rate of successful completion of community supervision that is above the statewide average provide training and technical assistance to other departments to improve the successful completion rate of those departments or to implement innovative or cost-effective methods.

Grant programs. The bill would establish requirements for priorities for the division when awarding grants. The division would be required to give priority to departments that provided or received training or technical assistance under the program that would be established by the bill or that

implemented innovative or cost-effective methods under that program.

The division would be authorized to provide grants to departments for certified peer support specialists, certified recovery coaches, and certified reentry support specialists.

Report on probation outcomes. The division would be required to submit an annual report by April 1 to the governor, the Legislature, each department, and each district court, office of an attorney representing the state, and public defender's office in the state.

The report would have to include community supervision outcomes for the preceding calendar year for each department, county, district court, and constitutional or statutory county court with criminal jurisdiction and would have include specific information on revocations and terminations outlined in the bill. The report also would have to include a comparison of the outcomes this information to the statewide data for the outcomes and to outcomes of comparable courts with a rate of successful completion of community supervision that is above the statewide average. The division would have to include in the report a detailed summary of its efforts to reduce the revocation rate of defendants placed on community supervision.

The bill would take effect September 1, 2021.