

BILL ANALYSIS

Senate Research Center

H.B. 2291
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Criminal Justice
5/17/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Given the apparent and urgent need to address its shortcomings, a better way is needed to protect the core principles of the Texas juvenile justice system by dissuading juvenile criminal activity, protecting the rights of victims of crime, holding juvenile offenders responsible for their actions, and rehabilitation of the juvenile so that he or she becomes a more productive member of society.

H.B. 2291 grants the victims of non-violent property crimes committed by juveniles the opportunity to request mediation and compels the offender to discuss and acknowledge the harm and consequences of the crime. A completed mediation leaves the juvenile accountable and responsible for the terms of the restitution and there is compelling evidence that such programs reduce the rate of recidivism of participants.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 141, Human Resources Code, by adding Section 141.055, as follows:

Sec. 141.055. STUDY OF VICTIM-OFFENDER MEDIATION PROGRAMS FOR JUVENILE OFFENDERS; REPORT. (a) Requires the Texas Juvenile Probation Commission (TJPC) to conduct a study of established victim-offender mediation programs for juvenile offenders (programs) in Texas for the purpose of determining the potential effect on the state's juvenile justice system of establishing guidelines for and expanding the implementation of programs (study). Requires that the study evaluate the specific methodology of programs for juvenile offenders, certain performance indicators relating to a reduction in recidivism, the success rates for the collection and fulfillment of restitution obligations, and the typical costs and funding sources for such programs.

(b) Requires TJPC, before conducting the study, to consult any relevant guidelines issued by the United States Department of Justice's Office for Victims of Crime and seek assistance from leader experts on such programs in establishing parameters, information collection techniques, and reasonable legal assumptions in evaluating these programs.

(c) Sets forth certain credentials or professions of persons deemed experts from whom TJPC may seek assistance under Subsection (b)(2).

(d) Requires TJPC, not later than July 1, 2008, to provide a report describing the results of the study to each member of the legislature. Requires the report to include certain costs of the programs, a review of the specific benefits of the program, and any recommendations for legislation establishing guidelines and expanding the implementation and administration of these programs in Texas.

(e) Provides that this section expires December 1, 2008.

SECTION 2. Effective date: upon passage or September 1, 2007.