

Texas Criminal Justice Agencies

S.B. 213 Whitmire (Price)

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The Sunset review of the Texas Department of Criminal Justice (TDCJ), Correctional Managed Health Care Committee, Windham School District, and Board of Pardons and Paroles determined that overall, the State's adult criminal justice system is working well. Specifically, the Legislature's investments in treatment and alternatives to incarceration have significantly improved the system, evidenced by lower recidivism and reincarceration rates, and increased parole approval rates.

The Sunset review builds on the proven success of investing in these less costly diversion strategies by requiring these criminal justice agencies to better assess, rehabilitate, and reintegrate offenders back into society. The Sunset bill for these agencies, Senate Bill 213, requires the development of a single assessment tool for offenders, based on factors most likely to affect recidivism, and use of the tool throughout the system — from probation to parole. The bill also requires development of an individualized treatment plan for each offender based on their assessed risk and needs, as well as a comprehensive reentry plan to better coordinate and improve offender reentry services to reduce the likelihood of recidivism. Ultimately, to ensure these changes achieve the desired outcomes, the bill requires the agencies to better measure and manage the performance of their programs to help the Legislature align future funding with programs that work — those that reduce recidivism and incarceration costs.

Additional changes made in S.B. 213 help improve parole decision making to ensure more consistent and fair parole decisions. Regarding correctional healthcare, the bill clarifies the powers and duties of TDCJ and the Correctional Managed Health Care Committee to better align with the Legislature's previous decision to transfer the State's healthcare contracting authority from the Committee to TDCJ.

The following material summarizes results of the Sunset review of TDCJ, the Correctional Managed Health Care Committee, Windham School District, and Board of Pardons and Paroles, including management actions directed to the agencies that do not require statutory change. For additional information see the *Texas Department of Criminal Justice, Correctional Managed Health Care Committee, Windham School District, and Board of Pardons and Paroles Sunset Final Report with Legislative Action* available on the Sunset Commission website at www.sunset.state.tx.us.

Offender Rehabilitation and Reentry

- Requires TDCJ to implement a standardized risk and needs assessment instrument, based on criminogenic factors, for use in assessing and managing offenders on probation, in prison, and on parole.
- Requires TDCJ to establish a case management committee at every prison facility to assess inmates and ensure they are receiving appropriate services or participating in appropriate programs.
- Requires the Individual Treatment Plan to capture all of an offender's risk and needs information, as well as all participation in both state-funded and volunteer programs, for use in treatment planning.

- Directs the Parole Board to use the Individualized Treatment Plan in making programming placement decisions. (management action – nonstatutory)
- Requires TDCJ to develop and adopt a more comprehensive reentry and reintegration plan for offenders detailing the reentry goals and strategies, and how it will evaluate the plan.
- Expands the membership and duties of the Reentry Task Force.

Offender Education

- Requires the Windham School District to conduct biennial program evaluations to measure whether its academic, vocational, and life skills programs reduce recidivism and meet the District's other statutory goals.

Probation Grants and Funding

- Requires TDCJ's Community Justice Assistance Division (CJAD) to establish grant program goals and standard grant processes, including a system to routinely monitor grant performance and impact on recidivism.
- Requires CJAD to study the use of performance-based funding formulas, including using an offender's risk level or other appropriate factors, and report its recommendations to the Legislature.
- Changes the way state funding for Community Supervision and Corrections Departments' employees health insurance is appropriated by creating a new TDCJ budget strategy. (S.B. 1)

Parole

- Requires the Parole Board to establish and maintain a range of recommended parole approval rates for each category or score within the parole guidelines.
- Requires parole panels, when approving or denying an inmate's release, to provide a clear and understandable written explanation of the panel's decision, including only the reasons that relate specifically to the inmate.
- Authorizes the Parole Board to delegate all hearings, but not final determinations, to its hearing officers.
- Makes the process of submitting Victim Impact Statements more efficient.

Correctional Health Care

- Modifies the structure and functions of the Correctional Managed Health Care Committee to align with changes in the State's approach to providing offender health care.
- Removes funding for the salaries, operating expenses, and travel expenses of the Committee's staff. (S.B. 1, Rider 50)
- Clarifies TDCJ's powers and duties relating to correctional healthcare contracting, consistent with the Legislature's previous decision to transfer this authority from the Correctional Managed Health Care Committee to TDCJ.

- Clarifies TDCJ's authority to contract with any provider for offender health care, to include, but not limited to the University of Texas Medical Branch and the Texas Tech University Health Sciences Center.
- Requires TDCJ to adhere to standard contracting requirements for offender healthcare services contracts, and report healthcare cost and use information to the Governor and Legislative Budget Board.

Continuation

- Continues the Board and Department of Criminal Justice for eight years.
- Continues the Windham School District and Correctional Managed Health Care Committee, and requires them to be reviewed in conjunction with future Sunset reviews of TDCJ. The Parole Board will also continue to be reviewed by the Sunset Commission in conjunction with TDCJ.

Standard Sunset Review Elements

- Abolishes TDCJ's report on bed ratios for Substance Abuse Felony Punishment Facilities.
- Directs TDCJ to research and implement innovative alternatives to recruit a more diverse workforce. (management action – nonstatutory)

Fiscal Implication

Senate Bill 213 will not have a significant fiscal impact to the State.

