

SUBJECT: Qualifications for community supervision officers

COMMITTEE: Corrections — favorable, without amendment

VOTE: 5 ayes — Hightower, Allen, Hupp, Marchant, Serna
0 nays
4 absent — Alexander, Edwards, Farrar, Gray

WITNESSES: For — None
Against — None
On — Susan Cranford, director, Community Justice Assistance Division,
Texas Department of Criminal Justice

BACKGROUND : Persons appointed to be community supervision (probation) officers must have a bachelors degree from an accredited institution of higher education. Unless the bachelor's degree is in criminology, corrections, counseling, law, social work, psychology, sociology or a related field approved by the Texas Department of Criminal Justice (TDCJ), the person must also have one year of graduate study in one of these fields or one year of experience in full-time casework, counseling or community or group work approved by TDCJ.

DIGEST: HB 2826 would eliminate current requirements that community supervision officers have bachelor's degrees in specified areas or one year of specified types of study or experience. The requirement that they have a bachelor's degree from an accredited institution of higher education would remain.
HB 2826 would take immediate effect if finally approved by a two-thirds record vote of the membership in each house.

SUPPORTERS SAY: HB 2826 would allow local community supervision and corrections departments greater flexibility to meet the increasing need for probation officers brought on by the recent growth in the criminal justice system by hiring the most competent probation officers without unnecessary restrictions by the state.

The state should not interfere in the hiring of local probation officers. These officers are not state employees, so it is inappropriate for the state to set overly restrictive minimum qualifications.

The current qualifications are unnecessarily restrictive because there are competent and qualified persons who may not fit the descriptions in current law, especially since a person's interests and abilities often differ from their college majors. For example, current law would prohibit the hiring of someone with a college degree in Spanish or computer science who did not have the specified experience but who might make an excellent probation officer. Probation officers are more like counseling officers than law enforcement personnel, and good candidates could come to the job with varied backgrounds. HB 2826 would allow the best candidates to be hired, regardless of their education or experience.

HB 2826 would eliminate the cumbersome process currently used when a department wants to hire someone who does not match the statutory qualifications. Currently, an office must request a waiver from TDCJ's community justice assistance division to hire someone who does not fit the description. Waivers are frequently requested and routinely granted. In the past year TDCJ granted about 260 waivers. HB 2826 would reduce the workload of local departments and TDCJ in handling these waiver requests.

To ensure minimal qualifications, HB 2826 would retain the requirement that all officers have a bachelor's degree.

**OPPONENTS
SAY:**

Current law requires that community supervision officers statewide meet minimum, standard qualifications. This helps to ensure professionalism in the field and that probation officers have some knowledge or experience. Current law is not overly restrictive because it allows for the hiring of persons with various academic backgrounds if they first obtain some experience in casework, counseling or community or group work. In addition, a waiver process is available if an office wants to hire someone who does have the statutory qualifications.

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NOTES: The companion bill, SB 1237 by West, has been referred to the Senate Criminal Justice Committee.