

**SUBJECT:** Requiring notification of convicting court upon inmate's release

**COMMITTEE:** Corrections — favorable, without amendment

**VOTE:** 7 ayes — Haggerty, Staples, Allen, Culberson, Ellis, Farrar, Longoria  
0 nays  
2 absent — Gray, Lengefeld

**SENATE VOTE:** On final passage, April 8 — 30-0

**WITNESSES:** None

**BACKGROUND:** Under current law, some prison inmates, whose eligibility depends on the type of offense and when the offense occurred, must be released on mandatory supervision when their calendar time served, plus good-conduct time, equals their sentence. Other inmates in that situation must be reviewed by the parole board for discretionary release on parole. Inmates also are released when they serve their all of their sentence.

**DIGEST:** SB 232 would require the Texas Department of Criminal Justice (TDCJ) to notify the convicting court promptly when inmates were released after having served all of their sentences or are released on parole or mandatory supervision.

This bill would take effect September 1, 1999.

**SUPPORTERS SAY:** SB 232 would ensure that when an inmate was released from prison, the court where that inmate was convicted would be notified of the release. This notification would allow the court to begin trying to collect any fines and court fees that the convict owed.

Currently, when an inmate is released on parole, TDCJ must notify the court in the county where the inmate was convicted and where the inmate will be a resident. SB 232 would require a blanket notification to the convicting court regardless of whether the inmate was released on parole or mandatory supervision or was discharged, to ensure that courts are fully informed in all

situations. TDCJ already is set up to perform this notification. The convicting court may not know about an inmate's release because the court may not be informed about how the inmate's good-conduct time has affected the sentence.

Although the bill would not set a specific time frame for this notification, it would require prompt notification. TDCJ could develop standard procedures to meet this requirement.

OPPONENTS  
SAY:

This bill may be unnecessary. In many cases, the convicting court already knows when the inmate is discharged because that court handed down the sentence and knows that it can begin to collect fines from the discharged inmate.

OTHER  
OPPONENTS  
SAY:

SB 232 would not go far enough. It should go the next step and require a court that has been notified of an inmate's release to act on that notice if the inmate has outstanding fines to be paid. In the case of parole, the law should require the court to make sure that the parole board knows of the outstanding debt and should require the inmate's parole conditions to include payment of court fines.

SB 232 also does not specify the time frame within which TDCJ would have to notify the court. Moreover, it is unclear whether this bill would require a notification letter to be sent on several different dates about an offender who had been convicted in more than one county for offenses with different sentence lengths.